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CONSTITUTIONAL CONVENTION OF MARYLAND

JOURNAL OF PROCEEDINGS

Annapolis, Md., Tuesday, July 11, 1967

The President of the Senate of Maryland, the Hon. William S. James, called the Convention Delegates to order at 12:00 o'clock noon, as provided for in House Bill No. 28 passed by the 1967 General Assembly and signed into law by the Governor of Maryland, Hon. Spiro T. Agnew on March 24, 1967.

EXECUTIVE DEPARTMENT
ANNAPOLIS, MARYLAND

GOVERNOR'S PROCLAMATION ISSUING A CALL FOR DELEGATES
TO THE MARYLAND CONSTITUTIONAL CONVENTION TO ASSEMBLE
FOR SPECIAL PURPOSES IN ANNAPOLIS, MARYLAND
12:00 Noon, Tuesday, July 11, 1967

WHEREAS, The people of the State of Maryland expressed in a special election on September 13, 1966, their desire to hold a Constitutional Convention; and

WHEREAS, The 1967 General Assembly of Maryland, in response to the expressed desire of the people, duly enacted House Bill 28 making provisions for the election of delegates to, and the holding of, a convention to frame a new Constitution for the State of Maryland, which bill was signed and became effective on March 24, 1967, as Chapter 4 of the 1967 Laws of Maryland; and

WHEREAS, Section 1 (9) of said Chapter directs that the Governor of Maryland "...by proclamation shall issue a call for the delegates to the Convention to assemble in the chambers of the House of Delegates at the State House in the City of Annapolis on a date not later than sixty days after June 13, 1967, and at an hour as shall be fixed in his proclamation, for the purposes of organizing the Convention, electing its officers and adopting rules of procedure."

NOW, THEREFORE, I, SPIRO T. AGNEW, GOVERNOR OF THE STATE OF MARYLAND, pursuant to and under the authority of the aforementioned section of Chapter 4 of the 1967 Laws of Maryland, do hereby solemnly proclaim and issue a call for delegates to the said Constitutional Convention to assemble in the chamber of the House of Delegates at the State House in the City of Annapolis on Tuesday, July 11, 1967, at 12:00 noon for the aforesaid purposes.

SEAL

Given Under My Hand and The Great Seal
of the State of Maryland, in the City
of Annapolis, this 26th Day of June,
in the Year of Our Lord, One Thousand
Nine Hundred and Sixty-Seven.

SPIRO T. AGNEW
BY THE GOVERNOR

27
C. STANLEY BLAIR
SECRETARY OF STATE

Annapolis, Md., Tuesday, July 11, 1967

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EXECUTIVE DEPARTMENT
ANNAPOLIS, MARYLAND

GOVERNOR'S PROCLAMATION ISSUING A CALL FOR THE
MAY 1967 CONSTITUTIONAL CONVENTION TO
FOR SPECIAL PURPOSES IN ANNAPOLIS, MARYLAND
11:00 noon, Tuesday, July 11, 1967

WHEREAS, the people of the State of Maryland expressed in a
special election on September 13, 1964, their desire to hold a Consti-
tutional Convention; and

WHEREAS, the 1967 General Assembly of Maryland, in response
to the expressed desire of the people, duly enacted House Bill 32
and the holding
provisions for the election of delegates to, and the holding
of, a convention to frame a new Constitution for the State of Mary-
land, which bill was signed and became effective on March 24, 1967,
and Chapter 4 of the 1967 laws of Maryland; and

WHEREAS, Section 1 (a) of said Chapter directs that the Governor
of Maryland "...by proclamation shall issue a call for the delegates
to the Convention to assemble in the chamber of the House of Delegates
in the State House in the City of Annapolis on a date not later than
sixty days after June 15, 1967, and as an hour as shall be fixed
by his proclamation; for the purpose of organizing the Convention,
selecting its officers and adopting rules of procedure."

NOW, THEREFORE, I, SPIRO T. AGNEW, GOVERNOR OF THE STATE OF
MARYLAND, pursuant to and under the authority of the aforementioned
Article of Chapter 4 of the 1967 laws of Maryland, do hereby solemnly
proclaim and issue a call for delegates to the said Constitutional
Convention to assemble in the chamber of the House of Delegates at
the State House in the City of Annapolis on Tuesday, July 11, 1967,
11:00 noon for the aforesaid purposes.

Given under my Hand and the Great Seal
of the State of Maryland, in the City
of Annapolis, this 10th Day of June,
in the Year of Our Lord, One Thousand
Nine Hundred and Sixty-Seven.

SPIRO T. AGNEW

BY THE GOVERNOR

Invocation was offered by the Hon. Edward T. Hall, Senate Minority Leader.

The Hon. William S. James, Temporary Chairman, announced the following staff for today's session:

J. Waters Parrish, Secretary
John C. Brooks, Assistant Secretary
James P. Mause, Chief Clerk
Oden Bowie, Journal Clerk
John T. Nowakowski, Assistant Journal Clerk

Present at the roll call were the following delegates:

Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clark J., Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dulany, Eckenrode, Eney, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, James, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, O'Connor, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Robey F. C., Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Sherbow, Sickles, Siewierski, Singer, Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Tawes, Taylor H. E., Taylor L., Ulrich, Vercera, Wagandt, Webb, Webster, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total--139.

The Hon. Hall Hammond, Chief Judge of the Court of Appeals, administered the oath of office to all the elected delegates except delegates Dorsey, Dukes, and Schneider. Delegate Melvin L. Schneider was administered the oath of office by Temporary Chairman James later in the afternoon.

MOTIONS AND RESOLUTIONS

On motion of Mr. Sickles it was ordered that Mr. Charles A. Dukes, Jr. be excused from today's session on account of important business.

On motion of Mr. Sickles it was ordered that Mr. Melvin L. Schneider be excused from today's session on account of important business.

On motion of Mr. Raley it was ordered that Mr. Philip H. Dorsey be excused from today's session on account of important business.

ANNOUNCEMENTS BY THE TEMPORARY CHAIRMAN

The chair announced the following guests were invited to be present:

The Honorable Mr. Broderick, Lieutenant Governor of the Commonwealth of Pennsylvania.

Mr. Robert Sidman, Executive Director of a Modern Constitution for Pennsylvania, Inc.

The Honorable Marvin Mandel, Speaker of the House of Delegates of Maryland and alternate Temporary Chairman of this Convention.

The Honorable Theodore R. McKeldin, former Governor and present Mayor of Baltimore City.

The Honorable Hall Hammond, Chief Judge of the Court of Appeals of Maryland who has administered the oath to the delegates.

The Honorable Robert C. Murphy, Chief Judge of the Court of Special Appeals of Maryland.

The Chief Judges of the eight Judicial Circuits of Maryland:

Judge E. McMaster Duer
Judge E. DeWeese Carter
Judge Lester L. Barrett
Judge D. Kenneth McLaughlin
Judge James Macgill
Judge Patrick M. Schnauffer
Judge J. Dudley Digges
Judge Dulaney Foster

The Honorable Robert F. Sweeney, Deputy Attorney General of Maryland

The Honorable Louis L. Goldstein, Comptroller of the Treasury of Maryland.

The Honorable John A. Luetkemeyer, Treasurer of Maryland.

The Honorable C. Stanley Blair, Secretary of State of Maryland.

The Senate Majority Leader, Honorable Harry R. Hughes.

The Senate Minority Leader, Honorable Edward T. Hall.

The House Majority Leader, Honorable Thomas Hunter Lowe.

The House Minority Leader, Honorable J. Glenn Beall, Jr.

The House Majority Whip, Honorable W. Dale Hess.

Chairman of the Senate Committee on Judicial Proceedings,
Honorable J. Joseph Curran, Jr.

Chairman of the Senate Committee on Economic Affairs,
Honorable James A. Pine.

Chairman of the House Ways and Means Committee, Honorable
William E. Houck.

The Honorable Daniel B. Brewster, United States Senator.

The Honorable Joseph D. Tydings, United States Senator.

The Honorable Rogers C. B. Morton, United States Representative
from the First Congressional District.

The Honorable Clarence D. Long, United States Representative
from the Second Congressional District.

The Honorable Edward A. Garmatz, United States Representative
from the Third Congressional District.

The Honorable George H. Fallon, United States Representative
from the Fourth Congressional District.

The Honorable Hervey G. Machen, United States Representative
from the Fifth Congressional District.

The Honorable Charles McC Mathias, United States Representative
from the Sixth Congressional District.

The Honorable Samuel N. Friedel, United States Representative
from the Seventh Congressional District.

The Honorable Gilbert Gude, United States Representative
from the Eighth Congressional District.

REPORT OF TEMPORARY COMMITTEE ON PROGRAM

Mr. Murray Abramson, Temporary Chairman of the Program Committee gave the following report which was read and adopted.

The Temporary Committee on Program met in the State House at Annapolis on Friday, July 7, 1967 and prepared the program which has now been printed and a copy of which is on the desk of each delegate. It is intended that this program will constitute the agenda for this organization meeting of the Constitutional Convention. I call particular attention to the program note appearing on the inside left page of the program. It is intended that this program note be a rule of procedure to be followed in the nomination and election of officers.

I therefore move, Mr. Chairman, that this report of the Temporary Committee on Program be approved and that the program, including the program note, be adopted as the agenda for this organization meeting of the Constitutional Convention.

Program

ORGANIZATION MEETING

CONSTITUTIONAL CONVENTION

Tuesday, July 11, 1967

Chamber of the House of Delegates, State Capitol
Annapolis, Maryland
Twelve O'Clock Noon

Honorable William S. James
Temporary Chairman

Call to Order	The Honorable William S. James (Pursuant to Proclamation of Governor, June 26, 1967)
Invocation	The Reverend Paul J. Sampson Pastor of Eastport Methodist Church
Designation of Temporary Personnel	The Honorable William S. James
Delivery of Certificate of Election of Delegates	The Honorable William S. James
Roll Call	Mr. J. Waters Parrish Temporary Secretary
Administration of Oath	The Honorable Hall Hammond and Chief Judge, Court of Appeals of Maryland
Signing of Test Book by Delegates	
Announcements	The Honorable William S. James
Consideration of Report of the Temporary Committee on Program ..	The Honorable Murray Abramson, Chairman

Resolution Inviting Governor to
 Address Convention The Honorable J. Millard Tawes

Designation of Committee to Wait on
 Governor and Escort Him to Con-
 vention Chamber. The Honorable William S. James

Address. His Excellency, Spiro T. Agnew
 Governor of Maryland

Consideration of Report of the Tem-
 porary Committee on Rules. The Honorable Alfred L. Scanlan
 Chairman

Nomination and Election of Honorary President

Nomination and Election of President

Thirty Minutes Recess

Nomination and Election of First Vice President

Nomination and Election of Second Vice President

Consideration of any Resolutions pertaining to Organization of Convention

Adjournment

PROGRAM NOTE:

Delegates will be recognized in alphabetical order for the purpose of making nominations. A delegate may yield to another delegate for this purpose. In the nomination of all officers, there shall be not more than one brief nominating speech and two brief seconding speeches for each nominee.

RESOLUTIONS

Delegate J. Millard Tawes introduced a resolution inviting Governor Spiro T. Agnew to address the Convention.

WHEREAS, pursuant to Chapter 4 of the Acts of the General Assembly of Maryland of 1967 and the Proclamation of the Governor dated June 26, 1967, the Constitutional Convention of Maryland of 1967 has convened and is in session, and

WHEREAS, it is fitting and appropriate that this Convention be addressed by the Governor of Maryland.

NOW, THEREFORE, BE IT RESOLVED, that His Excellency, Spiro T. Agnew, Governor of Maryland, is hereby invited to address this Convention.

The Honorable William S. James, Temporary Chairman, is authorized to appoint a committee to wait upon the Governor, advise him that this Convention has convened and is in session and invite him to address this Convention.

I move the adoption of the Resolution

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

The Temporary Chairman, William S. James, announced the following:

LIST OF DELEGATION TO WAIT ON GOVERNOR AGNEW

Hon. Thomas G. Pullen, Jr.

Hon. Royce Hanson

Hon. Catherine Beachley

Hon. John R. Hargrove

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

Temporary Chairman James introduced Governor Agnew who gave the following address:

I congratulate the people of Maryland for causing this convention to assemble and for sending to it this distinguished and very well qualified delegation.

You are proof of the people's wisdom in the exercise of their franchise...and representative of their enlightened awareness that what is to be done here, by you, for them, will become the proud product of Marylanders in this century and the heritage of the next one hundred years.

As authors of the constitution, you are challenged to write for free men the supreme law...and to find in the fewest words the fullest expression of free government. In a sense you are like those who created the Mayflower Compact out of their imaginations, ... or the Fundamental Orders of Connecticut out of their common sense...or the Articles of Confederation out of a compulsion for sudden independence...or the Constitution of the United States from the overpowering logic that thirteen separate sovereignties could not long endure untied to each other.

Supreme Court Justice Hugo Black described the Constitution as "the basic charter of our government written in few words to define governmental powers generally on the one hand and to define governmental limitations on the other." Chief Justice Oliver Wendell Holmes viewed the Constitution as "an experiment," while Chief Justice John Marshall revered the Constitution as "a design to approach immortality as nearly as human institutions can approach it."

Whichever concept, interpretation or definition you choose or reject, the worth of your work will be judged by history and tested by time.

You are the forefathers of the future, and while you may be privileged now to look ahead, you will not be privileged to look back once you have sealed the document and given it to the people for their approbation.

So look back now while you still may, for there is something to be learned and much to be remembered. Survey our national heritage for precedent that serves and tradition that inspires.

Remember the special genius of America for writing constitutions and calling its ablest delegates to convention for that purpose.

Remember the miracle at Philadelphia where independence gave birth to statesmanship, and where thirteen states united to create one nation and one people under one constitution.

Remember the spirit of that historic confrontation where political passion surrendered to logic and compromise.

Remember the doubts and fears of the men who wrote it....doubtful that their work was perfect enough and fearful that it might not long endure.

And yet our national constitution has endured. For it was limited to an expression of great principles; founded upon the faith and confidence that the righteousness of these principles would suffice to provide security and direction for all future generations.

It is the most eloquently simple statement of principle ever inspired to direct a government and protect a people. Its relevance persevered through the recognition that, while institutions will change, great principles will endure.

The Constitution written for America one hundred and eighty years ago comes to us today unspoiled....yet the constitution written for Maryland eighty years later must now be edited anew. Like those immortalized federalists who wrote the law of a nation, those who framed the constitutions for states were determined to rise above prejudice and write true to principle. But perhaps they rose too little and wrote too much.

Yet, we must not be too harsh with our State's constitutional forebearers. We must understand that in 1867 Maryland had not yet recovered from the agonizing impact of the Civil War....that the wounds of conflict ran deep....that the memories of past political abuses were still vivid. We must remember too that in that early year Maryland was a rural, gentle and complacent State with but a single small commercial center, and barely over a half million residents...a people who sought little from their state government but to restore the peace and permit them to recover in peace from the exhausting war.

They could not foresee the Maryland of today with its population seven times the number for which the Constitution of 1867 was framed....with its urban concentration embracing seventy-three percent of our citizens....a Maryland where the profound barriers of transportation and communication would no longer be obstacles to people and progress.

If the transition between clipper ships and jet propelled aircraft seems phenomenal....even more startling is the very speed of incessant change. Our commercial, industrial and population growth has not been gradual but explosive. And its impact on government has been no less dramatic.

The inability of the old constitution to envisage growth and change is indicated by the more than two hundred amendments which have been grafted to the original document. Even the fundamental construction was beset with flaws, not apparent when state government was small, but obstructive now that it has grown to impressive height. So distrustful were our predecessors of political authority that they created checks and balances not only between the three traditional branches of government but within them....not merely hindering administrative action but virtually strangling the implementation of bold solutions.

Thus we have become a static state drifting from a state of indifference to a state of emergency. Maryland is not alone in this. Other states, perhaps even the majority of them, have suffered the same breakdown of their political nervous systems. The Federal Government, forced to fill the vacuum created by the strangled state, has grown out of all proportion to its constitutional purposes. In turn, the cherished constitutional balance between federal and state governments has been disrupted, and unless we act quickly and responsibly, it could be permanently destroyed.

State government has a special role as the sovereign government closest to the people. It is immediate and intimate. It is the laboratory for political experiment, the instrument to test and apply new political solutions to new and old problems. State government, tempered by its unique constitutional safeguard of referendum, may yet become the most creative, imaginative and dynamic form of political expression.

In little more than three decades we will enter the twenty-first century. By the year 2000 we will be six million citizens. Traditional political boundaries will be obscured by one vast metropolitan corridor between Baltimore and Washington. Rapid rail and air transportation will be commonplace. The atmosphere we breathe will be cleaner, our water will be purer, and our people will be more educated and enlightened. It is not for today, but for tomorrow, that you write this constitution.... the sinew, soul and spirit of the Maryland to be.

As you reflect on this singular task, know that you write for not one isolated or estranged people but for a Maryland which is itself the very microcosm of America. In the geography of our State, the geography of our nation is cast in miniature. In the thoughts of our citizens the great philosophical cross-currents from north and south, east and west, city and suburb meet....mix....and merge.

Maryland reflects the diversity that gave to America its greatness. We are many people. We are many races, religions and national origins. We are a tidewater people and a mountain people. We are a people born to rich farmlands and a people reared in the teeming tempo of city streets. We are different kinds of people, each individual and unique, but united, in our common love of freedom, our common respect for human liberty, our

common passion for law and order, and our common faith in the future. A constitution for the State of Maryland is in every respect a constitution for each of the states united.

So now begin the great work knowing that what you attempt has been tried before and that what you will accomplish must serve as law and letter to a society yet to come. Let principle be chapter and verse of the new constitution and let brevity attest to the clarity of its pronouncement.

Let every political passion be expressed, but let logic, compromise and principle prevail.

Let remembrance of the past give direction, let understanding of the present provide confidence, and let vision of the future offer inspiration.

Lay shoulder to the great points, knowing as did Thomas Jefferson, that the little ones will follow.

Let the wisdom of our nation's enduring Constitution be your example.

And let these Biblical proverbs be your creed:

"Behold, a good doctrine has been given unto you; forsake it not.

It is a tree of life to them that hold fast to it, and its supporters are happy.

Its ways are ways of pleasantness and all its paths are peace."

REPORT OF TEMPORARY COMMITTEE ON RULES

Mr. Alfred Scanlan, chairman of the Temporary Committee on Rules, recommended the standing rules of the Constitutional Convention adopted by that committee July 7, 1967.

CHAPTER I

GENERAL PROVISIONS

Rule 1. Quorum and Majority. A majority of all the delegates to the Convention shall constitute a quorum for the transaction of business, but a smaller number may adjourn the Convention from day to day and may also compel the attendance of absent delegates by the means approved by a majority, but not less than fifteen, of the delegates present. A majority of all the delegates may prescribe penalties for the non-attendance of delegates.

When a quorum is obtained, the affirmative vote of a majority of the delegates present and voting shall be sufficient for the adoption of any motion or resolution or the taking of any action, except in those cases where the affirmative vote of a greater number shall be required either by these rules or by Section 10 or Section 13 of Chapter 4 of the Acts of the General Assembly of 1967.

Rule 2. Admission to Floor -- Defined. No person, other than a delegate, officer or employee of the Convention, accredited news correspondent or person invited by the president, shall be admitted on the floor of the Convention immediately preceding the time set for any call to order and immediately following adjournment. Only delegates, officers and employees and such other persons as may be authorized by the president shall be admitted to the floor of the Convention during the session. The phrase "floor of the Convention" means the room or chamber where the Convention sits in session, excluding the space designated for visitors and for the press.

CHAPTER II OFFICERS AND EMPLOYEES

Rule 3. Officers of the Convention. The officers of the Convention shall be an honorary president, a president, a first vice-president, and a second vice-president, all of whom shall be elected by the Convention by the vote of a majority of all the delegates, by roll call vote. There shall also be a secretary, a chief clerk, a sergeant at arms, a parliamentarian, a historian, and such other officers as may be necessary from time to time, all of whom shall be selected in such manner as may be determined by resolution of the Convention adopted by a majority of all the delegates. The honorary president, president and vice-presidents shall be delegates and shall receive no additional compensation for services performed as officers. All officers and employees of the Convention, other than the honorary president, the president and the vice-presidents, shall be persons who are not delegates and their compensation shall be fixed in such manner as may be determined by resolution of the Convention.

THE PRESIDENT

Rule 4. Duties of the Presiding Officer. The president shall preside at sessions of the Convention and of the Committee of the Whole, and exercise the usual powers and perform the usual duties of a presiding officer. He shall preserve order and decorum and fairly assign floor rights. He may speak to points of order and, subject to an appeal to the Convention or to the Committee of the Whole, shall decide points of order.

Rule 5. Appointment by the President. The president, after consultation with the vice-presidents, shall appoint a chairman and the members of all committees. All appointments shall be announced to the Convention and entered upon the Journal. Each committee shall elect one of its members to be the vice-chairman. The vice-chairman shall perform all the duties and functions of the chairman in the absence of the chairman.

Rule 6. Administration of Convention. Except as otherwise provided the president shall appoint, and assign duties to, all employees of the Convention. The president, with the consent of the chairman of each standing committee, shall appoint the staff of such committee.

Rule 7. Authority of President. The president shall be chief executive of the Convention and all other officers and employees shall be responsible to his general supervision.

Rule 8. Naming of the President Pro Tem. The president may appoint any delegate to preside temporarily at any session of the Convention or of the Committee of the Whole, but not for longer than one day at a time without leave of the Convention.

Rule 9. Voting. The president may vote in all elections, on all divisions called for by any delegate, and on all questions taken by ayes and nays, except that the president may not vote twice, once to cause a tie vote then again to break it.

Rule 10. Powers and Duties. If the president is temporarily absent or temporarily unable to preside, the first vice-president, or, in the absence or inability of the first vice-president to preside, the second vice-president, shall exercise the powers and perform the duties of the president and shall preside over the Convention or the Committee of the Whole, unless the president shall have designated another delegate as president pro tem for that session or that day. If a vacancy occurs in the office of president, the first vice-president shall temporarily exercise the powers of the office of president until the Convention elects a president to fill the office. If a vacancy occurs in the office of the first vice-president, the second vice-president shall succeed thereto. The Convention shall fill any vacancy in the office of second vice-president.

SECRETARY

Rule 11. Responsibilities of the Secretary. The secretary shall be the chief administrative officer of the Convention and shall be primarily responsible for its administration, under the direct authority of the president. The secretary, under the supervision and authority of the president, shall be responsible for the employment and assignment of personnel, the supervision of payroll, the registration of lobbyists or any special interest groups pursuant to any requirements imposed by rule or resolution of the Convention, and communications with the press. He shall be director of the Convention's budget and shall supervise the acquisition and care of facilities, services and supplies needed by the Convention.

The secretary, with the president, shall certify to the secretary of state the proposals for a new constitution and the form thereof as approved by the Convention for submission to the electorate on May 14, 1968, in accordance with Section 15 of Chapter 4 of the Acts of the General Assembly of 1967.

CHIEF CLERK

Rule 12. Roll Call. The chief clerk shall call the roll at the opening of each session of the Convention and the president shall announce whether or not a quorum is present.

Rule 13. Journal and Transcript. The chief clerk shall furnish to each delegate a copy of the journal of the proceedings of

the Convention for the previous day which, when approved by the Convention, shall be the official journal of the Convention. The chief clerk shall also keep a verbatim record of the proceedings of sessions of the Convention and meetings of the Committee of the Whole.

Rule 14. Order of Business. The chief clerk shall furnish to each delegate the daily calendar and agenda of the business of each session of the Convention provided for by Rule 57 and a copy of each proposal as soon as practicable.

SERGEANT AT ARMS

Rule 15. Powers and Duties. The sergeant at arms shall be the chief police officer of the Convention.

PARLIAMENTARIAN

Rule 16. Duties. The parliamentarian shall be advisor and counsel to the presiding officer on all matters of parliamentary procedure; however, all parliamentary rulings shall be the responsibility of, and shall be made by, the presiding officer.

HISTORIAN

Rule 17. Duties. The historian shall be responsible for collecting, compiling, documenting and preserving all proceedings of the Convention and its several committees. He shall also oversee the publication of any of the historical records and documents of the Convention.

CHAPTER III

DELEGATES

Rule 18. Conduct in Debate. When any delegate is about to speak in debate or to present any matter to the Convention, he shall rise from his seat, and address himself to "Mr. President"; he shall not speak until recognized and when recognized he shall confine himself to the question under consideration and avoid personalities.

Rule 19. Delegates Called to Order. The president or any delegate may challenge any other delegate who, on speaking, violates the rules of the Convention. Upon such challenge, the president may order the speaker to sit down. The president's order to sit down, or the failure of the president to order the speaker to sit down, may be appealed.

Rule 20. Times Delegates May Speak. Except as provided by Rule 36, no delegate may speak more than once on the same question without leave of a majority of those present and voting, unless he be the mover of the matter pending or chairman of the committee that reported it, in which case he shall be privileged to speak twice.

Rule 21. Seating. The seats of the delegates on the Convention floor shall be arranged in alphabetical order by surnames. If a vacancy occurs the person selected to fill the vacancy shall continue to have the seat of the delegate who vacated the position.

CHAPTER IV

COMMITTEES

Rule 22. Establishment and Meetings. The standing committees of the Convention shall be:

1. Committee on Personal Rights and the Preamble
2. Committee on Suffrage and Elections
3. Committee on the Legislative Branch
4. Committee on the Executive Branch
5. Committee on the Judicial Branch
6. Committee on Local Government
7. Committee on State Finance and Taxation
8. Committee on General Provisions
9. Committee on Style, Drafting and Arrangement
10. Committee on Calendar and Agenda of the Convention
11. Committee on Rules, Credentials and Convention Budget

Committees 1 through 8 shall be considered substantive committees and each delegate shall be entitled to serve on one of these eight committees.

Each committee shall meet at the call of its chairman or by the written request of a majority of its members.

A recorded roll call vote on any matter before a committee shall be taken on demand of any member of the committee.

Each committee shall maintain an action journal of all its proceedings and a calendar, both of which shall be available to the delegates, news media and interested members of the public.

Additional committees may be established by resolution of the Convention.

Rule 23. Vacancies. In case of a vacancy or the prolonged absence of the chairman and vice-chairman, the president of the Convention shall appoint a chairman to act until the chairman or vice-chairman shall return.

Rule 24. Sitting of Committees during Sessions of the Convention. No committee, except the Committee on Calendar and Agenda of the Convention, shall sit during the sessions of the Convention or of the Committee of the Whole, without having first obtained special leave of the president, or of the Convention by the affirmative vote of a majority of those present and voting.

Rule 25. Power to Incur Expenses. No delegate or committee shall incur any expense chargeable to the Convention unless such expense is approved by the president or is authorized by resolution

of the Convention. No motion or resolution calling for an expenditure of money shall be acted upon by the Convention without first being referred to an appropriate committee for consideration and recommendation.

Rule 26. Subcommittees. A committee, by the affirmative vote of a majority of its members, may provide for the appointment by the committee chairman of subcommittees composed of delegates who are members of the committee. Reports of subcommittees shall be considered by the entire committee before the committee recommends any action thereon by the Convention.

Rule 27. Notice of Reports. A committee shall notify all delegates who have introduced proposals on the same subject matter of the time and place where they may meet with the committee to explain such proposals, and the notice required by this rule shall be given at least twenty-four hours before the committee takes final action.

Rule 28. Report of Committees. The affirmative vote of a majority of the members of a committee shall be necessary to report a proposal out of committee. The report of a minority of at least twenty per cent of the members of any committee shall be received, printed in the same manner as the majority report, and treated as an amendment or substitute offered to or for the report of the committee if offered as such on the floor. All proposals reported by a committee to the Convention shall be referred to the Committee of the Whole.

Rule 29. Committee Meetings and Hearings. Committees may hold meetings or public hearings at the seat of the Convention and may be authorized by the Convention to hold meetings or public hearings at any other place. A committee may grant the powers here authorized to any subcommittee. A committee, with the approval of the president, may direct that a verbatim record be kept of any portion of its proceedings.

Rule 30. Consideration of Proposals without Committee Recommendation. After one session day's notice a committee, on motion passed by the affirmative vote of a majority of all the delegates, may be required to report, with or without a recommendation, any proposal referred to the committee.

CHAPTER V

COMMITTEE OF THE WHOLE

Rule 31. General Orders of the Day. All proposals reported by any committee of the Convention shall be referred to the Committee of the Whole and kept in the file called "General Orders of the Day". No committee proposal shall be considered by the Committee of the Whole until the third day after it has been referred to the Committee of the Whole, unless the Convention, by the affirmative vote of a majority of the delegates present and voting, agrees to its earlier consideration.

Rule 32. Consideration of Proposals. When the Convention reaches consideration of the General Orders of the Day, it shall then sit as the Committee of the Whole to consider such orders, or to consider a particular order designated by the Convention by the affirmative vote of a majority of those present and voting. Unless a particular proposal has been specially designated by the Convention for consideration out of turn, the Committee of the Whole shall consider, act upon, or pass over the General Orders of the Day in the order in which they were referred to the Committee.

Rule 33. Amendment. All amendments to proposals or recommendations shall be entered on separate paper and stated to the delegates by the presiding officer.

Rule 34. Motion that Committee of the Whole Rise. A motion that the Committee of the Whole rise shall always be in order unless a member of the Committee is speaking or a vote is being taken, and such motion shall be decided without debate by the vote of a majority of those present and voting.

Rule 35. Reconsideration. A motion to reconsider shall be in order in the Committee of the Whole and may be adopted before the Committee rises by the affirmative vote of a majority of those present and voting.

Rule 36. Application of Convention Rules. The rules of the Convention shall be observed in the Committee of the Whole so far as they may be applicable except that the Committee of the Whole cannot adjourn the Convention; the previous question shall not be ordered; the vote of a majority of the Committee shall govern its action; the Committee cannot refer matters to any other committee; and a motion to postpone indefinitely or for a Call of the Convention shall not be in order. A delegate may speak more than once in the Committee of the Whole. A quorum in the Committee of the Whole shall be 72.

Rule 37. Limitation of Debate. Rule to be drafted and recommended September 12 concerning limitation of debate.

CHAPTER VI

TRANSACTION OF BUSINESS

Rule 38. Order of Business. The order of business of the Convention shall be as follows:

1. Call to order and preliminary matters.
2. Invocation.
3. Roll call.
4. Report of Committee on Calendar and Agenda.
5. Reports of other standing committees.
6. Reports of select committees.
7. Communications from state officers.
8. Introduction and first reading and reference of proposals.
9. Second and final reading of proposals.

10. Motions and resolutions.
11. Unfinished business
12. Special orders of the day.
13. General orders of the day.

PETITIONS

Rule 39. Printing in Journal. No memorial, remonstrance, or petition shall be read or printed in full in the Journal unless ordered read or printed by the affirmative vote of a majority of those present and voting.

MOTIONS AND RESOLUTIONS

Rule 40. Stating Motions. When a motion is made, it shall be stated to the Convention by the president; or, if in writing, it shall be handed to the chief clerk and read aloud to the Convention before being debated.

Every resolution, other than a proposal, shall be submitted in quintuplicate, shall be read by title, and shall be referred to the appropriate committee. If the rules are suspended to permit immediate consideration of a resolution, the resolution shall be read in full to the Convention before it is considered.

Rule 41. Reduced to Writing. Every motion shall be reduced to writing if the president or any delegate shall request it, and shall be entered upon the Journal, together with the name of the delegate making it, unless the motion is withdrawn by the maker or is ruled out of order by the president.

Rule 42. Withdrawal of Motions. After a motion has been stated by the president or read by the chief clerk, it shall be deemed to be in the possession of the Convention, but it may be withdrawn by the maker at any time before being amended or put to vote.

Rule 43. Privileged Motions. When a question is under debate, no motion shall be received but --

1. To amend the calendar and agenda.
2. To fix the time to which to adjourn.
3. To adjourn.
4. To take a recess.
5. To reconsider.
6. To call for the Orders of the Day.
7. To lay on the table.
8. For a Call of the Convention.
9. To limit debate.
10. To move the previous question.
11. To postpone to a day certain.
12. To postpone indefinitely.
13. To commit.
14. To amend.

The motions listed in this rule shall take precedence in the order in which they stand arranged. All of them shall be decided by the vote of a majority of those present and voting, except that any motion to postpone indefinitely shall be decided by the affirmative vote of a majority of all the delegates to the convention. When a

recess is taken while a question is pending, consideration of such question shall be resumed when the Convention reassembles, unless it determines otherwise. No motion to postpone to a day certain, or to commit, having been decided by the Convention, shall again be in order on the same day or at the same stage of the question. Whenever a proposal is being considered and a motion is then made, either to postpone indefinitely or to commit, amendments to the pending proposal shall first be in order before any vote is taken on any such motion.

Rule 44. Motions not Debatable. A motion to adjourn shall always be in order except when a motion to fix the time to which to adjourn, or a motion to amend the calendar and agenda, is pending. A motion to adjourn, a motion to lay on the table, a motion for a recess pending the consideration of other business and all matters relating to questions of order, shall be decided without debate.

Rule 45. Order of Putting Questions. All questions shall be put in the order in which they are moved, except in the case of privileged motions.

Rule 46. Amendment Must be Germane. No motion or proposition relating to a subject different from that under consideration shall be admitted under color of an amendment or substitute.

Rule 47. Division of Question. Any delegate may call for a division of the question, which shall be divided if it includes propositions which are so distinct in substance that when one is removed or deferred, a substantive proposition remains for the decision of the Convention. A motion to strike out and insert shall not be subject to division within the meaning of this rule.

MOTION CALLING FOR THE PREVIOUS QUESTION

Rule 48. Method of Ordering. The method of ordering the previous question shall be as follows: Any delegate may move the previous question and, unless otherwise stated, the motion shall apply to the pending question only. The presiding officer shall put the question, "Shall the main question now be put?" This shall be ordered only by a majority of the delegates present and voting. After the seconding of a motion for the previous question and prior to the ordering of the same, a Call of the Convention may be moved and ordered, but after ordering the previous question nothing shall be in order prior to the decision of the pending question or questions, except demands for the ayes and nays, points of order, appeals from the decision of the Chair, and a motion to adjourn or to take a recess, all of which shall be decided without debate. The effect of ordering the previous question shall be to put an end to all debate and bring the Convention to a direct vote upon the pending question or questions in their order down to and including the main question; provided, however, that when the previous question shall be ordered, amendments then on the chief clerk's desk shall be acted upon. When a motion to reconsider has been taken under the previous question

and decided in the affirmative, the fact that the previous question had been ordered shall have no operation or effect with respect to the question for which reconsideration has been ordered. If the Convention refuses to order the previous question, it shall resume consideration of the pending subject as though no motion for the previous question had been made.

Rule 49. Sine Die Adjournment. A motion to adjourn the Convention sine die shall not be voted upon until at least forty-eight hours after notice is given to the delegates; and to pass this motion requires an affirmative vote of a majority of all the delegates to the Convention.

Rule 50. Motion for Reconsideration. Any delegate may move for a reconsideration of any question at the same or next succeeding session of the Convention, or the Committee on Style, Drafting and Arrangement may move for reconsideration on any subsequent day if one session day's notice of its intention to do so is given in writing to the chief clerk and entered upon the Journal. A motion to reconsider shall take precedence over all other questions, except a motion to amend the calendar and agenda, a motion to fix the time to which to adjourn, a motion to adjourn and a motion to recess. A motion to reconsider shall not be renewed except by the Committee on Style, Drafting and Arrangement.

MOTION FOR CALLS OF THE CONVENTION

Rule 51. Quorum Calls. A Call of the Convention may be ordered if there is an absence of a quorum.

Rule 52. Procedure. The roll of the Convention shall be called by the chief clerk and the absentees noted. The sergeant at arms may, upon motion, be dispatched after the absentees. In such case, a list of the absentees shall be furnished by the chief clerk to the sergeant at arms, who shall bring such absentees to the floor of the Convention with all possible speed. In case the sergeant at arms shall require assistance in addition to the regularly appointed assistant sergeant at arms of the Convention, the president, upon motion, may deputize as a special assistant sergeant at arms any person properly qualified. The Convention may proceed to business under a Call of the Convention pending the arrival of any absentees.

PROPOSALS AND RECOMMENDATIONS

Rule 53. Introduction. Any suggestion, proposition or draft intended to become a part of any revised constitution, or amendment thereto or schedule to be attached thereto shall be called a delegate proposal or a committee recommendation. A proposal introduced by a delegate shall be designated a delegate proposal and a proposal submitted by a committee shall be designated a committee recommendation. A delegate proposal shall be endorsed by the delegate or delegates introducing it and a committee recommendation shall be endorsed by the chairman of the committee submitting it. Five copies of every delegate proposal or committee recommendation shall be delivered to the chief clerk who shall cause the same to be

suitably numbered, printed and distributed to delegates as promptly as possible.

Rule 54. Order of Consideration. The prescribed order in which proposals introduced in the Convention are to be taken up or acted upon shall be as follows:

1. Introduction, first reading by title, reference to a committee by the president, and ordered printed and distributed unless otherwise ordered by a majority of the delegates present.
2. Report of the committee and placing on the General Orders.
3. Consideration by the Committee of the Whole in order of their reference.
4. Report by the Committee of the Whole and reference to the Committee on Drafting, Style and Arrangement.
5. Report of the Committee on Drafting, Style and Arrangement.
6. Second reading, final passage of each proposal.
7. Re-reference to the Committee on Drafting, Style and Arrangement for incorporation in final draft.
8. Report by the Committee on Drafting, Style and Arrangement of any complete revision of, or proposed amendment to, the Constitution.
9. Third reading and final passage of any complete revision of, or proposed amendment to, the Constitution.

Rule 55. Majority Vote on Proposals. On the final passage of every proposal, section, article and of any complete revision of or amendment to the Constitution, the vote shall be taken by ayes and nays and entered on the Journal and no proposal, section, article, or any such amendment or complete revision, shall be declared finally passed unless a majority of all the delegates to the Convention shall have voted in favor of the passage of the same.

Rule 56. Calendar. The Committee on Calendar and Agenda of the Convention shall prepare a calendar and order of business for each session of the Convention. The calendar shall be furnished to the chief clerk, who shall distribute it to the delegates before the time set for the next session of the Convention. The Convention, at any time or from time to time during a session, may, by the affirmative vote of a majority of those present and voting, adopt, reject, or modify the daily calendar and agenda presented to it.

SPECIAL ORDERS

Rule 57. Unfinished Special Orders. Any subject matter which has been made a special order for a particular day, but which is not reached on that day, shall then come up for consideration under the order of "Unfinished Business" at the next succeeding session of the Convention.

CHAPTER VII
MISCELLANEOUS
READING AND ENDORSEMENT OF PAPERS

Rule 58. Reading. When the reading of a paper, including the Journal, is called for and an objection is raised to such reading, the Convention by a majority vote of delegates present and voting shall determine without debate whether or not the paper shall be read.

Rule 59. Presentation and Endorsement of Petitions. Petitions received by an officer of the Convention or by any delegate may be initialed by the recipient, and handed directly to the chairman or clerk of the committee which has the subject matter of the petition under consideration. The chairman of the committee, on behalf of the Convention, shall give appropriate notice of the receipt of the petition.

Rule 60. Calls of Convention -- Ayes and Nays. Upon Calls of the Convention, and in taking the ayes and nays upon any question, the names of the delegates shall be called alphabetically.

Rule 61. Putting the Question. The president shall put all questions substantially in this form: "As many as are in favor of (as the question may be) say 'aye'"; and after the affirmative vote is expressed, "as many as are opposed say 'no'." If the president is in doubt as to the vote, he may order a roll call vote of the Convention.

A roll call vote of the Convention may be had upon the demand of ten delegates.

Rule 62. Recognition during Roll Call. After a question has been stated by the president, and the call of the roll has been started by the chief clerk, the president shall not recognize a delegate for any purpose except upon points of order, until after the announcement of the vote by the chief clerk. The chief clerk shall enter upon the Journal the names of those voting "aye" and the names of those voting "no".

Rule 63. Roll Call. At the roll call to be taken at the opening of each session and upon Calls of the Convention, the names of the members shall be called by the chief clerk, and the absentees noted.

Rule 64. Amendment or suspension of Rules. These rules may be amended by the affirmative vote of a majority of all the delegates to the Convention after the proposed amendment has been submitted in writing, has been considered by the Committee on Rules, Credentials and Convention Budget, and has been in the possession of the delegates not less than two session days prior to its consideration. A rule may be suspended by the affirmative vote of a majority of all the delegates to the Convention.

APPEALS

Rule 65. Form of Question. On all appeals from decisions of the Chair, the question shall be "Shall the appeal be sustained?" A favorable vote of a majority of the delegates present and voting shall sustain the appeal. The presiding officer may cast his vote on an appeal from his decision, and he shall have the right to explain his decision.

Rule 66. Tabling Appeals. An appeal may be laid on the table but shall not, as a consequence, thereby either remove or carry with it the subject matter pending before the Convention at the time the appeal was taken.

Rule 67. Practice. In all cases not covered by these rules, or by any subsequent amendments to them, the controlling parliamentary authority shall be Robert's Rules of Order Revised (1951 Edition).

METHOD OF VOTING

Rule 68. Voting by the Electrical Roll Call System. When taking the ayes and nays on any question to be voted upon, the electrical roll call system may be used, and when so used shall have the same force and effect as a roll call taken as otherwise provided in these rules.

When the Convention is ready to vote upon any question requiring a roll call, and the vote is to be taken by the electrical roll call system, the presiding officer shall announce: "The question is on the passage of (designating the matter to be voted upon). All in favor of such question shall vote 'aye', all opposed shall vote 'nay'. The Convention will now proceed to vote".

After affording the delegates sufficient time in which to vote, the presiding officer shall announce: "Have all voted?" and after a short pause he shall then say: "Does any delegate desire to change his vote?" and after another short pause he shall say: "The chief clerk shall proceed to record the vote."

The chief clerk shall immediately start the vote recording equipment, and when completely recorded, the president shall announce the result of the Convention. The chief clerk shall enter upon the Journal the result in the manner provided by the rules of the Convention.

Any delegate shall be privileged to vote or change his vote after the vote recording equipment has started to operate, and prior to the time the chief clerk has recorded the vote.

No delegate shall vote for another delegate, nor shall any person not a delegate cast a vote for any delegate. Any delegate who shall vote or attempt to vote for another delegate may be punished in such manner as the Convention may determine. If a person not a delegate shall vote or attempt to vote for any delegate, he shall be barred from the floor of the Convention for the remainder of the session and may be further punished in such manner as the Convention may determine proper.

CHAPTER VIII

LOBBYISTS

Rule 69. Registration and Regulation. The Convention, by resolution adopted by a majority of all the delegates, shall have authority to issue rules or regulations with respect to the registration and appearance before it, or before any of its authorized committees or subcommittees, of any person engaged or hired, for a fee, salary or other compensation, to promote, advocate, influence or oppose any matter pending before the Convention, or which might come before it or any of its committees or subcommittees. Such rules and regulations may include requirements that such persons shall register with the secretary and file such report of expenditures as may be required by such rules and regulations.

Amendment No. 1-- By Delegate Weidemeyer

On page 2 of the mimeographed proposed rules at Rule No. 3 and in lines 3, 4, and 5 thereof, strike out the following: "all of whom shall be elected by the Convention by the vote of a majority of all the delegates, by a roll call vote"; and following the last line of Rule 3 thereof, insert the following new Rule:

3A. Election of Officers.

(a) In the election for the President of the Convention, delegates may make nominating speeches placing names before the Convention for consideration. A secret written ballot of delegates to the Convention then shall be held, and each delegate shall write in at least four and not more than five names on his ballot. Delegates, while casting ballots, may vote for names other than those actually placed before the Convention. In the tally of votes on this secret ballot, the six highest names become the nominees for President of the Convention. Delegates then shall cast another secret written ballot voting for one of these six nominees. If one of the nominees does not receive a majority vote of all the delegates elected to the Convention, the delegate with the lowest vote shall be removed from the list and the same procedure followed until a President is elected.

(b) After the election of a President to the Convention, the same procedure shall be followed separately for the election of the honorary president, the first vice-president and the second vice-president."

WHICH AMENDMENT WAS READ AND REJECTED BY VOICE VOTE.

Amendment No. 2-- By Delegates Clark, Fornos, Hostetter, Koss, Pascal and Ulrich

On page 1 of the mimeographed proposed rules, in Rule No. 1, and following the second paragraph insert the following new paragraph:

"All sessions of this Convention and all meetings of its Committees shall be open to the public at all times, and no rules shall be promulgated which in any way infringe upon the public's

right to information about this Convention."

Delegate Gallagher seconded the above amendment.

WHICH AMENDMENT WAS READ AND ADOPTED BY VOICE VOTE.

Amendment No. 3-- By Delegate Willoner

Amendment to Rule No. 5

On page 3 of the mimeographed proposed rules and in Rule No. 5, strike out all of lines 1-7, inclusive, and insert in lieu thereof the following:

"Rule 5. Appointment by the President and Vice Presidents. The President, with the two Vice-Presidents, shall appoint the chairman and members of all standing committees. A majority of these officers shall determine each appointment. All appointments shall be announced to the Convention and entered upon the Journal. Each committee shall elect one of its members to be the vice-chairman. The vice-chairman shall perform all the duties and functions of the chairman in the absence of the chairman."

WHICH AMENDMENT WAS READ AND REJECTED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

By Delegates--

Anderson, Borom, Burgess, Chabot, Clagett, Gill, Grant, Hardwicke, Harris, Johnson, Kirkland, Miller B., Mitchell, Murray D. S., Murray E. C., O'Connor, Pascal, Robie K. L., Sickles, Sosnowski, Stern, Taylor L., Webb, White, Weidemeyer, Willoner. Total--26

Negative

By Delegates--

Abramson, Adkins, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Child, Cicone, Clark J., Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dulany, Eckenrode, Eney, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gleason, Groh, Grumbacher, Gullett, Hanson, Hargrove, Harkness, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, James, Jett, Kahl, Key, Kiefer, Koger, Kosakowski, Koss, Litzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller E. T., Morgan, Moser, Mosner, Mudd, Murphy, Needle, Neilson, Neumann, Penniman, Peters, Powers, Price, Pullen, Raley, Robey F. C., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Sherbow, Siewierski, Singer, Smith J. H., Smith M.H., Sollins, Soul, Storm, Sybert, Tawes, Taylor H. E., Ulrich, Vecera, Wagandt, Webster, Wheatley, Willis, Winslow. Total--113

Amendment No. 4-- By Delegate Hardwicke

Amendment to Rule No. 5

On page 3 of the mimeographed proposed rules and in Rule 5, and in line 2 thereof, immediately following the word "vice-presidents"

insert the following:

", and after giving due consideration to the requests of the various delegates"

WHICH AMENDMENT WAS READ AND ADOPTED BY VOICE VOTE.

Amendment No. 5-- By Delegate Sickles

On page 2 of the mimeographed proposed rules, in Rule 3, and in lines 15 and 16 thereof, strike out the following:

"in such manner as may be determined by Resolution of the Convention"

and insert in lieu thereof the following:

"by the President"

WHICH AMENDMENT WAS READ AND ADOPTED BY VOICE VOTE.

Amendment No. 6-- By Delegate Grumbacher

On page 3 of the mimeographed proposed rules, in Rule 5 and in Line 2 thereof immediately following the word "Chairman" insert the following:

", Vice Chairman"

and in Lines 4 and 5 thereof, strike out the following:

"Each Committee shall elect one of its members to be the Vice Chairman."

WHICH AMENDMENT WAS READ AND REJECTED BY VOICE VOTE.

Amendment No. 7-- By Delegate Della

On page 7 of the mimeographed proposed rules and in Rule 21 thereof, strike out all of lines 1-4, inclusive, and insert in lieu thereof the following:

"Rule 21. Seating. The seats of the delegates on the Convention floor shall be arranged by the counties, legislative districts or subdistricts from which the several delegates were elected, following the same arrangement as used by the House of Delegates of Maryland. If a vacancy occurs the person selected to fill the vacancy shall continue to have the seat of the delegate who vacated the position."

WHICH AMENDMENT WAS READ AND REJECTED BY VOICE VOTE.

Amendment No. 8-- By Delegate Fornos

Rule 64

Line 2, delete the words "a majority" and insert the words "three fifths" and line 7, delete the words "a majority" and insert the words "three fifths".

WHICH AMENDMENT WAS READ AND REJECTED BY VOICE VOTE.

Amendment No. 9-- By Delegate Chabot

On page 15 of the mimeographed proposed rules, in Rule 48, and at the end of line 15 thereof, insert a period after the word "question"; in line 16 thereunder strike out the following:

"or questions of their order down to and including the main question;"; and in lines 1 and 2 at the top of page 16 strike out the following:

"provided, however, that when the previous question shall be ordered, amendments then on the chief clerk's desk shall be acted upon"

WHICH AMENDMENT WAS READ AND REFERRED TO THE PERMANENT RULES COMMITTEE.

Amendment No. 10-- By Delegate Chabot

On page 8 of the mimeographed proposed rules, in Rule 24, and following the period in line 6 thereof, add the following:

"However, any committee may sit during a session of the Committee of the Whole if it first obtains special permission of the Committee of the Whole by the affirmative vote of a majority of those present and voting."

WHICH AMENDMENT WAS READ AND REFERRED TO THE PERMANENT RULES COMMITTEE.

THE FAVORABLE REPORT OF THE TEMPORARY RULES COMMITTEE WAS ADOPTED AS AMENDED.

At 4:00 o'clock P.M. on motion of Mr. Eney, the Convention took a recess until 4:20 o'clock P.M.

At 4:20 P.M. the Convention resumed its session.

Present at roll call were the following delegates:

Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clark J., Clarke E.J., Cleveland, Dabrowski, Darby, Della, Dulany, Eckenrode, Eney, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, James, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E.T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, O'Connor, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Robey F.C., Robie K.L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Sherbow, Sickles, Siewierski, Singer, Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Tawes, Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Webster, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total--139

NOMINATION AND ELECTION FOR HONORARY PRESIDENT

Delegate Godfrey Child nominated Delegate J. Millard Tawes for the office of Honorary President of the Convention.

Delegate Hopkins and Delegate Barrick seconded the nomination of J. Millard Tawes.

Delegate Della, duly seconded, moved that the nominations be closed.

SAID MOTION PREVAILED BY YEAS AND NAYS.

The Temporary Chairman announced that J. Millard Tawes was elected Honorary President of the Convention.

NOMINATION AND ELECTION FOR PRESIDENT OF THE CONVENTION

Temporary Chairman James turned over the chair to the Hon. Marvin Mandel, Speaker of the Maryland House of Delegates.

Delegate Buzzell nominated Delegate William S. James for President of the Convention.

Delegate Abramson seconded the nomination of William S. James for President.

Delegate Storm seconded the nomination of William S. James for President.

Delegate Powers nominated Delegate H. Vernon Eney for President of the Convention.

Delegate Gallagher seconded the nomination of H. Vernon Eney for President.

Delegate M.H. Smith seconded the nomination of H. Vernon Eney.

Delegate Sybert nominated Delegate James Clark for President of the Convention.

Delegate Boyce seconded the nomination of James Clark.

Delegate Linton seconded the nomination of James Clark.

The Roll was called as follows:

Delegates voting for H. Vernon Eney

Adkins, Bamberger, Bard, Beall, Bennett, Bothe, Boyles, Bradshaw, Bryson, Burdette, Bushong, Byrnes, Caldwell, Child, Clagett, Clarke E.J., Cleveland, Dulany, Eney, Fox, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Hargrove, Harkness, Henderson, Jett, Kiefer, Koss, Lord, Macdonald, Marion, Mentzer, Miller E.T., Morgan, Moser, Mosner, Mudd, Murray D.S., Murray E.C., Needle, O'Connor, Penniman, Powers, Pullen, Rosenstock, Scanlan, Schloeder, Sherbow, Sickles, Singer, Smith J.H., Smith M.H., Soul, Stern, Tawes, Taylor H.E., Wagandt, Webster, Willoner, Winslow.

Total--65

Delegates voting for J. Clark.

Armor, Boileau, Borom, Boyce, Burgess, Chabot, Cicone, Clark J.,
Dabrowski, Finch, Fornos, Grumbacher, Gullett, Hanson, Hardwicke,
Harris, Hopkins, Johnson, Key, Koger, Linton, Mason, Maurer, Miller B.,
Mitchell, Neilson, Neumann, Pascal, Raley, Robey F.C., Robie K.L.,
Rybczynski, Sollins, Sybert, Taylor L., Ulrich, Webb, White. Total--38

Delegates voting for William S. James.

Abramson, Barrick, Baumann, Beachley, Blair, Boyer, Buzzell, Cardin,
Carson, Case, Darby, Della, Eckenrode, Frederick, Hickman, Hostetter,
Hutchinson, James, Kahl, Kirkland, Kosakowski, Leitzel, Malkus,
Murphy, Peters, Price, Rollins, Rush, Siewierski, Sosnowski, Storm,
Vecera, Weidemeyer, Wheatley, Willis. Total--35

The Chair announced that no one was elected on the 1st roll call and instructed the clerk to call the roll the second time.

Delegates voting for H. Vernon Eney.

Adkins, Bamberger, Bard, Beall, Bennett, Bothe, Boyles, Bradshaw,
Bryson, Burdette, Bushong, Byrnes, Caldwell, Child, Clagett, Clarke E.J.,
Cleveland, Dabrowski, Dulany, Eney, Finch, Fox, Freedlander, Gallagher,
Gilchrist, Gill Gleason, Grant, Groh, Hargrove, Harkness, Henderson,
Jett, Johnson, Kiefer, Koss, Lord, Macdonald, Marion, Mason, Mentzer,
Miller E.T., Morgan, Moser, Mosner, Mudd, Murray D.S., Murray E.C., Needle
O'Connor, Penniman, Powers, Pullen, Rollins, Rosenstock, Rybczynski,
Scanlan, Schloeder, Sherbow, Sickles, Singer, Smith J.H., Smith M.H.,
Soul, Stern, Tawes, Taylor H.E., Wagandt, Webster, Willoner, Winslow.
Total--71

Delegates voting for William S. James.

Abramson, Anderson, Barrick, Baumann, Beachley, Blair, Boyer, Buzzell,
Cardin, Carson, Case, Darby, Della, Eckenrode, Frederick, Hardwicke,
Hickman, Hostetter, Hutchinson, James, Kahl, Kirkland, Kosakowski,
Leitzel, Malkus, Murphy, Peters, Price, Rush, Siewierski, Sosnowski,
Storm, Vecera, Weidemeyer, Wheatley, Willis. Total--36

Delegates voting for J. Clark.

Armor, Boileau, Borom, Boyce, Burgess, Chabot, Cicone, Clark J.,
Fornos, Grumbacher, Gullett, Hanson, Harris, Hopkins, Key, Koger,
Linton, Maurer, Miller B., Mitchell, Neilson, Neumann, Pascal, Raley,
Robey F.C., Robie K.L., Sollins, Sybert, Taylor L., Ulrich, Webb,
White. Total--32

Delegate James seconded by Delegate Clark moved that H. Vernon Eney be elected President of the Convention by acclamation.

SAID MOTION PREVAILED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Delegates--

Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clark J., Clarke E.J., Cleveland, Dabrowski, Darby, Della, Dulany, Eckenrode, Eney, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, James, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E.T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, O'Connor, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Robey F.C., Robie K.L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Sherbow, Sickles, Siewierski, Singer, Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Tawes, Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Webster, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

Total--139

Negative

Delegates--

None.

The Chair announced that H. Vernon Eney was elected President of the Convention.

Delegates James and Clark were appointed to escort the President to the Chair. The oath of office of President was administered to the President elect by Delegate James. The President made a short address upon taking the chair.

At 5:20 P.M. the President announced that the Convention would stand recessed for 30 minutes.

At 6:50 P.M. the Convention resumed its session.

Present at roll call were the following delegates:

Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clark, J., Clarke, E.J., Cleveland, Dabrowski, Darby, Della, Dulany, Eckenrode, Eney, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, James, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E.T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, O'Connor, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Robey F.C.,

Robie K.L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Tawes, Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Webster, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total--140

NOMINATION AND ELECTION FOR THE FIRST VICE PRESIDENT

Delegate Bard nominated William S. James for the office of 1st Vice-President.

Delegate Buzzell and Delegate Carson seconded the nomination of Delegate James.

Delegate O'Connor nominated Delegate James Clark for the office of 1st Vice-President.

Delegate Hanson and Delegate E.C. Murray seconded the nomination of James Clark.

Delegate Scanlan nominated Delegate Powers for the office of 1st Vice-President.

Delegate Mudd and Delegate Sherbow seconded the nomination of Delegate Powers.

The roll was called for office of 1st Vice-President which resulted as follows:

Delegates voting for James Clark.

Bamberger, Bennett, Boileau, Borom, Bothe, Boyce, Boyles, Bryson, Burdette, Burgess, Bushong, Chabot, Cicone, Clark J., Clarke E.J., Cleveland, Dabrowski, Finch, Fornos, Fox, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hargrove, Harkness, Harris, Hopkins, Johnson, Key, Kiefer, Kirkland, Koger, Koss, Linton, Macdonald, Marion, Mason, Maurer, Mentzer, Miller B., Mitchell, Morgan, Moser, Mudd, Murray D.S., Murray E.C., Needle, Neilson, Neumann, O'Connor, Pascal, Penniman, Robey F.C., Robie K.L., Rosenstock, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Singer, Smith J.H., Sollins, Soul, Stern, Sybert, Taylor H.E., Taylor L., Ulrich, Wagandt, White, Willoner. Total--78

Delegates voting for William S. James.

Abramson, Adkins, Anderson, Bard, Barrick, Baumann, Beachley, Blair, Boyer, Bradshaw, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Child, Darby, Della, Dulany, Eckenrode, Frederick, Freedlander, Gallagher, Hardwicke, Henderson, Hickman, Hostetter, Hutchinson, James, Jett, Kahl, Kosakowski, Leitzel, Lord, Malkus, Murphy, Peters, Powers, Price, Pullen, Raley, Rollins, Rush, Siewierski, Smith M.H., Sosnowski, Storm, Vecera, Weidemeyer, Wheatley, Willis, Winslow. Total--53.

Delegates voting for Ralph Powers.

Clagett, Webb

Total--2

The President announced that Delegate Clark was elected 1st Vice-President. The President administered the oath of office of 1st Vice-President to James Clark.

NOMINATION AND ELECTION FOR THE SECOND VICE PRESIDENT

Delegate Abramson nominated Delegate William S. James for the office of 2nd Vice-President.

Delegate Bard and Delegate Barrick seconded the nomination of William S. James.

Delegate Bradshaw nominated Delegate Morgan for the office of 2nd Vice-President.

Delegate Scanlan and Delegate E.J. Clarke seconded the nomination of Delegate Morgan for the office of 2nd Vice-President.

Delegate White nominated Delegate Mitchell for the office of 2nd Vice-President.

Delegate Hardwicke and Delegate Borom seconded the nomination of Delegate Mitchell for the office of 2nd Vice-President.

The roll was called which resulted as follows:

Delegates voting for William S. James.

Abramson, Adkins, Anderson, Bamberger, Bard, Barrick, Baumann, Beachley, Blair, Boileau, Boyce, Boyer, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Child, Cicone, Clagett, Cleveland, Dabrowski, Darby, Della, Dulany, Eckenrode, Frederick, Freedlander, Gallagher, Gilchrist, Grant, Harkness, Henderson, Hickman, Hostetter, Hutchinson, James, Jett, Johnson, Kahl, Kiefer, Kirkland, Koger, Kosakowski, Leitzel, Linton, Lord, Malkus, Marion, Moser, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, O'Connor, Peters, Powers, Price, Pullen, Raley, Robey F.C., Robie K.L., Rollins, Rosenstock, Rush, Rybczynski, Schloeder, Schneider, Sherbow, Siewierski, Singer, Smith M.H., Sosnowski, Soul, Stern, Sybert, Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, Willis, Willoner, Winslow.

Total--92

Delegates voting for Juanita Jackson Mitchell.

Borom, Bryson, Clark J., Fornos, Fox, Gill, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harris, Hopkins, Key, Mason, Mentzer, Miller B., Mitchell, Pascal, Sickles, Sollins, Storm, White.

Total-23

Delegates voting for Delegate Morgan.

Bennett, Boyles, Bradshaw, Burdette, Chabot, Clarke E.J., Finch, Gleason, Groh, Koss, Macdonald, Maurer, Morgan, Neumann, Penniman, Scanlan, Smith J.H..

Total--17

The President announced that Delegate James was elected to the office of 2nd Vice-President.

Delegate James was then administered the oath of office of 2nd Vice-President by the President.

CONSIDERATION OF ANY RESOLUTIONS PERTAINING
TO THE ORGANIZATION OF CONVENTION.

By Delegates O'Connor, Cleveland, Armor, Adkins, Malkus, and Winslow.

A RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO
HONOR THE CONSTITUTIONAL CONVENTION OF 1967 WITH HIS PRESENCE
ON SEPTEMBER 12, 1967.

WHEREAS:

The Delegates to the Maryland Constitutional Convention of 1967 are sincerely hopeful that the President of the United States will honor this Convention by attending its opening session on September 12, 1967.

This Constitutional Convention is truly one of the epic and memorable public events in the State of Maryland. Its deliberations will be recorded in history as having fundamental significance, and they would be vastly enhanced by the presence of the President.

All the Delegates to the Convention unite in inviting the President of the United States to attend and address the opening of the Convention on September 12, 1967; now, therefore

BE IT RESOLVED BY THE MARYLAND CONSTITUTIONAL CONVENTION OF 1967 That President Lyndon B. Johnson is cordially invited to honor this Convention by attending and addressing its opening session in the City of Annapolis on September 12, 1967; and

BE IT FURTHER RESOLVED, That the President of the Convention is requested to send a copy of this Resolution to President Lyndon B. Johnson, White House, Washington, D. C.

WHICH RESOLUTION WAS READ AND ADOPTED BY VOICE VOTE.

At 8:35 P.M., on motion of Delegate Abramson duly seconded the Convention was adjourned to 12:00 o'clock (noon) September 12, 1967.

CONVENING SESSION
CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Maryland
Tuesday, Sept. 12, 1967

The Convention was called to order at 12:00 o'clock noon in the Chamber of the House of Delegates, State House, Annapolis, Maryland, by H. Vernon Eney, President.

Business was preceded by the following activities:

Musical Selections.....	United States Naval Academy Band Lt. Comdr. Preston H. Turner Conducting
(At the East Portico 11:30 to 11:45 A.M.)	
Call to Order.....	The President
(Pursuant to Proclamation of Governor, August 29, 1967)	
Procession.....	Color Guard, Desk Officers and Pages
Presentation of Colors.....	Color Guard
"The Star Spangled Banner".....	United States Naval Academy Band
Posting of the Colors.....	Color Guard
State Song:	
"Maryland, My Maryland".....	Delegates and Guests
Retirement of Color Guard	
Invocation.....	The Reverend Bruce K. Price Delegate from Baltimore County
Roll Call.....	James Paul Quillen Reading Clerk

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick,

Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullet, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Litzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, O'Connor, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Robey F. C., Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total 140

MESSAGE FROM THE EXECUTIVE

The Secretary of State appeared and delivered a Message from the Executive.

THE STATE OF MARYLAND EXECUTIVE DEPARTMENT

GOVERNOR'S PROCLAMATION ISSUING A CALL FOR DELEGATES TO THE MARYLAND CONSTITUTIONAL CONVENTION TO ASSEMBLE IN PLENARY SESSION IN ANNAPOLIS, MARYLAND, 12:00 Noon, Tuesday, September 12, 1967

- WHEREAS, The people of the State of Maryland expressed in a special election on September 13, 1966, their desire to hold a Constitutional Convention; and
- WHEREAS, The 1967 General Assembly of Maryland, in response to the expressed desire of the people, duly enacted House Bill 28 making provisions for the election of delegates to, and the holding of, a convention to frame a new Constitution for the State of Maryland, which bill was signed and became effective on March 24, 1967, as Chapter 4 of the 1967 Laws of Maryland; and
- WHEREAS, Pursuant to the provisions of the aforesaid enactment and a proclamation of the Governor of Maryland, the delegates of the Convention assembled and organized on July 11, 1967; and
- WHEREAS, Section 10 of said Chapter provides "At least ten days prior to September 12, 1967, the Governor by proclamation shall issue a call for the delegates to assemble on that date.";
- NOW, THEREFORE, I, SPIRO T. AGNEW, GOVERNOR OF THE STATE OF MARYLAND, pursuant to and under the authority of the

aforesaid Section of Chapter 4 of the 1967 Laws of Maryland, do hereby solemnly proclaim and issue a call for delegates to the said Constitutional Convention to assemble in the chamber of the House of Delegates at the State House in the City of Annapolis on Tuesday, September 12, 1967, at 12:00 Noon, in plenary session.

Given Under My Hand and The Great Seal of the State of Maryland, in the City of Annapolis, this 29th day of August, In the Year of Our Lord, One Thousand Nine Hundred and Sixty-Seven.

Spiro T. Agnew
By the Governor

C. Stanley Blair
Secretary of State

OATH OF OFFICE

The Oath of Office was then administered to Delegates Philip H. Dorsey and Charles A. Dukes, Jr., by the Hon. Hall Hammond, Chief Judge, Court of Appeals of Maryland.

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Ralph W. Powers, Chairman, Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY A VOICE VOTE.

PRESENTATION OF MACE TO CONSTITUTIONAL CONVENTION

The Mace of the Constitutional Convention was presented to the President by Mr. Howard T. Brenner, President of Samuel Kirk & Son, Inc., with the following address:

Mr. President
Mr. Tawes and Delegates

When the Constitutional Convention Commission approached my Company with the proposition that they desired a mace, a symbol of popular sovereignty, for the Constitutional Convention of 1967, we were highly honored and thought it most appropriate that we should design, make and present one to the Convention. After all, we have been a part of and have enjoyed the many blessings of the great State of Maryland for more than 150 years.

In our archives we had the original patterns of the Great Seal of Maryland used when we made the silver service for the cruiser Maryland in 1904. This service is now on display here in the State House. These in turn were exact reproductions taken from the original seal, made of silver in England and sent to the province in 1648. I understand this original seal is now on display in the Hall of Records here in Annapolis.

In designing the mace we incorporated the seal, cast in silver. I understand ours is the only state seal of strictly heraldic character. This is supported in a circle of silver, the circle being symbolic of continuity - without beginning or ending. On the circle is inscribed "State of Maryland, Constitutional Convention of 1967". The handle and supporting base are of walnut.

And so, Mr. Eney, it is my privilege and pleasure as a representative of Samuel Kirk & Son to present to you, President of the Constitutional Convention of 1967, and the delegates here assembled, this Mace, a symbol of dignity and collective authority of the Constitutional Convention which represents the popular sovereignty of the people of Maryland.

The President accepted the Mace from Mr. Brenner on behalf of the Constitutional Convention.

ADDRESS BY THE PRESIDENT

Address by H. Vernon Eney, President, Constitutional Convention of Maryland. (See attachment).

REPORT OF COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET

Mr. Scanlan, Chairman, Rules, Credentials and Convention Budget Committee, made the first report of the Committee.

The Committee on Rules, Credentials and Convention Budget has considered a number of suggested changes in the Rules which the Convention adopted on July 11, 1967. The Committee now recommends that amendments be adopted to Rules 5, 20, 21, 24, 28, 36, 37, and 48.

In addition to the amendments proposed, the Committee recommends that the Secretary be empowered to correct any errors in the cross-reference appearing in the Rules of the Convention.

The Committee recommends against the proposal which would have limited debate on third reading to new matter. The Committee did so because the liberality with which the previous question may be moved under these Rules would preclude the use of third reading as a last stand filibuster.

The Committee also considered whether or not it was necessary to make a formal rule change in order to permit the presiding officer to recognize a committee chairman for the purpose of merely making a short oral status report of the activities of his committee. These reports would keep the delegates informed of the activities of the various committees but the Committee decided that no change in the rules was necessary to authorize the presiding officer to recognize a committee chairman for the purpose

of making an oral report. However, in no sense are such oral reports equated with the formal written reports the committees will submit in connection with their substantive recommendations.

The President accepted the report and announced that it would be considered on Thursday, September 14, 1967, under Rule 64.

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 1 -- By Delegate Kiefer, Chairman of the Committee on Personal Rights and the Preamble, at the request of the Constitutional Convention Commission.

A PROPOSAL that Article I, Declaration of Rights, shall read as proposed by the Constitutional Convention Commission.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 2 -- By Delegate Koss, Chairman of the Committee on Suffrage and Elections, at the request of the Constitutional Convention Commission.

A PROPOSAL that Article II, Suffrage and Elections, shall read as proposed by the Constitutional Convention Commission.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 3 -- By Delegate Gallagher, Chairman of the Committee on The Legislative Branch, at the request of the Constitutional Convention Commission.

A PROPOSAL that Article III, Legislative Branch, shall read as proposed by the Constitutional Convention Commission.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 4 -- By Delegate Morgan, Chairman of the Committee on the Executive Branch, at the request of the Constitutional Convention Commission.

A PROPOSAL that Article IV, Executive Branch, shall read as proposed by the Constitutional Convention Commission.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 5 -- By Delegate Mudd, Chairman of the Committee on the Judicial Branch, at the request of the Constitutional Convention Commission.

A PROPOSAL that Article V, Judicial Branch, shall read as proposed by the Constitutional Convention Commission.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 6 -- By Delegate Sherbow, Chairman of the Committee on State Finance and Taxation, at the request of the Constitutional Convention Commission.

A PROPOSAL that Article VI, State Finance and Taxation, shall read as proposed by the Constitutional Convention Commission.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 7 -- By Delegate Moser, Chairman of the Committee on Local Government, at the request of the Constitutional Convention Commission.

A PROPOSAL that Article VII, Local Government, shall read as proposed by the Constitutional Convention Commission.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 8 -- By Delegate Sherbow, Chairman of the Committee on State Finance and Taxation, at the request of the Constitutional Convention Commission.

A PROPOSAL that the sections of the Constitutional Convention Commission Report dealing with taxes and assessments shall be included in Article VIII entitled "General Provisions".

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 9 -- By Delegate Boyer, Chairman of the Committee on General Provisions, at the request of the Constitutional Convention Commission.

A PROPOSAL that five sections of the Constitutional Convention Report dealing with public education, higher education, the militia, the oath of office and impeachment shall be included in Article VIII entitled "General Provisions".

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 10 -- By Delegate Moser, Chairman of the Committee on Local Government, at the request of the Constitutional Convention Commission.

A PROPOSAL that the section of the Constitutional Convention Commission Report dealing with interstate intergovernmental cooperation be included in Article VIII, entitled "General Provisions".

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 11 - By Delegate Boyer, Chairman of the Committee on General Provisions, at the request of the Constitutional Convention Commission.

A PROPOSAL that Article IX, Constitutional amendment, shall read as proposed by the Constitutional Convention Commission.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 12 -- By Delegate Gallagher, Chairman of the Committee on the Legislative Branch, at the request of the Constitutional Convention Commission.

AN ALTERNATE PROPOSAL providing for a unicameral legislature and that Article III, Legislative Branch, and Section 8.08, Article VIII, General Provisions, dealing with impeachment, shall read as proposed by the Constitutional Convention Commission.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 13 -- By Delegate Kiefer, Chairman of the Committee on Personal Rights and the Preamble, at the request of the Constitutional Convention Commission.

A PROPOSAL that the Preamble of the Constitution shall read as follows:

PREAMBLE

We, the People of the State of Maryland, grateful to Almighty God for our civil and religious liberty, and taking into our serious consideration the best means of establishing a good Constitution in this State for the sure foundation and more permanent security thereof, declare:

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 14 -- By Delegate Kiefer, Chairman of the Committee on Personal Rights and the Preamble, at the request of the Constitutional Convention Commission.

A PROPOSAL that the Preamble of the Constitution shall read as follows:

PREAMBLE

To secure Peace unto all, to preserve the blessings of liberty and justice for ourselves and our posterity, to declare the truths to be self-evident, that all men are created equal and all are endowed with the rights of life, liberty and the pursuit of happiness, and to prolong our unique colonial heritage of civil, religious and political toleration and respect in a government of, by and

for the people; We, the people of the free state of Maryland, pledging to each other our lives, our fortunes and our honor for the preservation of our liberty, do solemnly ordain a declaration of rights and frame of government; and for this we humbly invoke the blessing of Almighty God.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 15 -- By Delegate Kiefer, Chairman of the Committee on Personal Rights and the Preamble, at the request of the Constitutional Convention Commission.

A PROPOSAL that the Preamble of the Constitution shall read as follows:

PREAMBLE

We, the people of the State of Maryland, in recognition of the need for an orderly system of self-government for our State and the benefits to be derived therefrom, and in order to form a more perfect system of democratic government and to preserve the inalienable rights and universal principles of liberty, freedom and equality of all men, do ordain and establish this Constitution, and do herein enumerate the civil, political and religious rights and liberties to be fostered, guaranteed and protected by the State for the enjoyment of all citizens, and do herein grant to the State of Maryland the powers and authority necessary and proper to promote, maintain and preserve the peace, dignity, health, safety and general welfare of our citizens.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 16 -- By Delegate Kiefer, Chairman of the Committee on Personal Rights and the Preamble, at the request of the Constitutional Convention Commission.

A PROPOSAL that the Preamble of the Constitution shall read as follows:

PREAMBLE

We, the people of the State of Maryland, recognizing the rights and duties of this state as a part of the federal system of government, reaffirm our adherence to the Constitution of the United States of America; and in order to assure the state government power to act for the good order of the state and the liberty, health, safety and welfare of the people, we do ordain and establish this constitution.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

ANNOUNCEMENTS

The President announced that the President of the United States had been invited to address this Convention today and that the President of the United States had been unable to attend today and that the invitation might be accepted in the near future.

ADJOURNMENT

At 2:05 o'clock P.M on motion of Mr. Powers, duly seconded, the Convention adjourned until September 13, 1967, at 2:00 o'clock P.M.

September 12, 1967

ADDRESS

BY

H. VERNON ENEY, PRESIDENT
CONSTITUTIONAL CONVENTION OF MARYLAND

On August 17, 1867, the fourth Constitutional Convention of Maryland adjourned after seventy-five daily sessions and submitted to the people of the State a constitution which endured for one hundred years. Today, one hundred years, twenty-six days and something more than two hundred amendments later, we assemble as the fifth Constitutional Convention of Maryland. It seems to me that before we begin our work as the elected delegates to that Convention it behooves us to reflect for a moment on the task before us, consider the conditions and circumstances which bring us here today, and think a bit about the problems to be solved and the possible methods of their solution.

Today we live in a great stream of change, a stream which moves so rapidly and with such force that sometimes we are at our destination before we realize that we have started, and oftentimes we have begun our journey before we have charted our course.

One hundred years ago the people of Maryland and of the nation were living in a period of great social

Maryland Room
Library
College Park, Md.

unrest, a period of great stress and strain. Today we are again living in a period of great social unrest, another period of great stress and strain. But there is a tremendous difference between the two eras. Then, our nation was at the end of the most bitter and heart-rending conflict it has ever known, either before or since--a period which saw brother pitted against brother in cruel and agonizing fratricidal warfare. Maryland, as a border state between the opposing social and economic forces and torn asunder by its own inner conflicts, had become a battleground for the armies of the Union and the Confederacy. But, although all the wounds had not been healed and although there were many bitter memories of excesses committed in the name of military necessity, of a great city living under the shadow of the guns on Federal Hill, and of soldiers at the polls supervising the elections, nevertheless the armed conflict had ended and we were looking forward hopefully to a future of peace and quiet, liberty and contentment, and economic and cultural rehabilitation and progress.

Today we are not at the end of a period of conflict; we are in the midst of it. We live not only in a period of great social unrest amidst all the stresses and strains produced by such unrest, but in a period in

which conflict and strife are again prevalent. We are no longer a border state caught between the opposing forces of the North and the South but an island in a sea of hatred and violence. We do not have armies pitted against each other in mighty battles on our soil, but, more frightening perhaps, we see all about us throughout our nation, citizen pitted against citizen in scenes of equal violence which seem to erupt almost spontaneously and perplex and plague us all. We grope blindly for solutions to problems which appear to be insoluble and, through it all, the swift current of events seems at times to be carrying us to the brink of disaster.

We cannot in this Constitutional Convention of Maryland in the space of the next ninety or one hundred and twenty days--or even longer if we had the time--solve the problems of the world, of the nation, or even of our State. But we can and we must, within the time allotted to us, provide the framework of a government for our State which is capable of grappling with the problems confronting us today and with at least a possibility of being able to solve those problems in such a way as to prevent our State from being caught up and destroyed in the inferno of hate and conflict and bitter defiance which we see all about us. We must forge a document

which the people of our State will adopt on May 14, 1968 and thus make it a constitution and not a mere exercise in semantics--a scrap of paper. We must draft a constitution which will guarantee to every citizen the right to pursue his own goal of personal happiness and seek his own level of achievement as free from interference by government or his fellow citizens as the complexities of our modern society can permit and allow. And we must draft a constitution which can meet these objectives not only for us but for our children and our grandchildren and their children, a constitution which can survive as a meaningful, operative document even when subjected to the continuing assaults of changing conditions and of problems and situations which we can not only not contemplate but not even dream of today, a constitution which can provide an effective government for our nearly four million citizens of today, and also for our ten or more million citizens of tomorrow.

As we set about this task, we must realize that our separate existence as a sovereign state--a government of and by and for the people of Maryland--is at stake. We are not alone in this; the separate existence of every one of our fifty states as viable and effective instruments of local government is challenged. The course of events

of the past one hundred years has caused a metamorphosis. We and our sister states, so apprehensive and fearful in the last century of the powers of government, put in our state constitutions shackles and restraints which made our state governments incapable of meeting the needs of the people in a rapidly changing, urbanized society. The inability of state and local governments, because of these constitutional limitations and restrictions, to meet the simple everyday needs of people--the need for pure air and water, sewer systems, education, cultural advantages, recreational opportunities, mass transportation--created a void, a void into which our federal government has stepped to an ever-increasing extent.

These needs of the people--needs so vast and complex that they can only be met by governmental action, needs which traditionally had been and, by all scientific principles of government, should continue to be met by state and local government--simply had to be met. These governmental services required by the people had to be supplied. The inability of the state and local governments to do so has forced the federal government to meet the demand and supply these purely local requirements.

And so, we, the citizens of what we proudly call the great free State of Maryland, have, along with

our fellow citizens of other states, become cringing, favor-seeking vassals, fawning at the feet of Uncle Sam, grateful for the few crumbs of our own money tossed to us. But that great big, sprawling, bureaucratic colossus sitting astride the Potomac is too big, too far removed from the people, too impersonal to make more than uncertain, feeble, ineffective and oftentimes inept attempts to solve these problems which ought to be solved by state and local governments.

The challenge is clear for us to see; it is written in large bold letters on the walls of this historic State House. We have almost complete freedom in drafting a constitution to submit to our people. So long as it provides for a republican form of government, so long as it does not transgress the rights and liberties of the individual citizen guaranteed and protected by the Constitution of the United States, we, the people of the State of Maryland, can have almost any kind of constitution we choose. Certainly a people with the genius for designing a craft which can be hurtled millions of miles through space and yet be controlled minutely in its landing on a distant planet ought to be able to devise a system of government which can provide for our people at a local level those essential services which

are so sorely needed--services which are needed now but which are going to be needed to an ever-increasing degree as our society becomes more and more urbanized and as our population grows to an extent difficult for us even to comprehend at the present time.

A skeptic may scoff and say these are but lofty, high-sounding euphemisms which cannot possibly be accomplished by words emblazoned on a piece of paper, no matter how formal and fundamental the document. He may say that in the final analysis whether a government is good or bad, effective or ineffective, an efficient provider of services or an inept, bureaucratic maze depends not upon the will of the people which brings it into existence or upon the piece of paper which defines its scope, its power and its organization, but upon the people who manage it. He may say therefore that the problems of our time cannot be solved or even substantially affected by the constitution which we may recommend.

This, however, is not at all the case. True it is that the efficiency, the effectiveness of our government will, in the final analysis, depend upon the people we select to operate and conduct that government, but the kind of people who are willing to undertake the task of governing, and therefore the character of the

government itself, will be greatly influenced by the constitution adopted by the people of our State.

We can attract to the legislature the most thoughtful and capable of our citizens if we clothe the legislature with sufficient dignity, authority and power to legislate properly, provide for a legislature which can come to grips with the pressing problems of statewide concern and solve them. We can induce our ablest citizens to seek election as the chief executive of our State if we grant to the executive branch sufficient authority and power to carry out the policies which a governor may have been elected to put into effect. We can hold such a chief executive responsible for his actions and those of his appointed subordinates provided we give him power to appoint the competent and to remove the incompetent.

Our increasingly difficult problems of crime and juvenile and adult delinquency will not be solved by the constitution we draft, but we can in the constitution provide the cornerstone which will form a basis for the solution of those problems. I firmly believe that crime and delinquency can be controlled if we have widespread respect for the law by citizens in every social and economic strata.

We can have such widespread respect for the law if we provide in the constitution for a judicial system capable of administering justice--justice as between the state and the individual and justice as between man and man--speedily, efficiently and with finality; but, to do this, we must provide at every level of the judicial system judges who are trained in the law, judges who are not only not mediocre or barely qualified or even highly qualified, but judges at every level of the judicial system who are the best available--the best of the best.

We must provide a system which will create courts that are unmistakably courts so that every person knows when he enters the courtroom that he is in a court of law of the State of Maryland, regardless of whether it be the lowest court of our system hearing a traffic case or the highest court of our State hearing argument on an intricate question of law. If we do this, we will go a long way towards inculcating in every citizen a deep and abiding respect for the law.

We must also bring the government responsible for supplying the everyday needs of the citizen--police protection, fire protection, schools, water, sewers,

garbage collection and similar needs--closer to the people and at the same time we must recognize that the need for these services transcends local and artificial geographical boundaries and that local government encompasses much more than the municipal and county governments with which we are familiar. We can do this by providing in the constitution the means by which other local governments capable of solving these problems can be formed and established and be granted the necessary powers.

We must also not forget the individual and his rights and liberties. Many say that a declaration of rights in a state constitution is an anachronism, that the needed protection of the individual is furnished by the federal constitution and need not be reaffirmed in a state constitution. From this I dissent. It seems to me that it is essential that the document which creates and defines and provides the power of our state and local governments should also define and state with clarity and directness and emphasis those individual rights and liberties which those governments cannot and shall not transgress.

Now, how can we achieve these lofty objectives? Certainly they cannot be realized merely by their

enunciation. The inspired speech, the neatly turned phrase, the eloquence of an earlier Webster or Clay or a modern-day Churchill, the profundity of a Burke, or even the inspired genius of a Madison, a Hamilton, or a Jefferson alone will not achieve these objectives or write a constitution for this Convention. Nor can the objective be achieved by delegating the task to the most capable and brilliant staff which could be assembled to assist this Convention. The task can be performed, the desired result can be achieved only by the unremitting, grinding, grueling, exacting, time-consuming toil of each and every one of the one hundred forty-two delegates to this Convention.

To aid in accomplishing this purpose, the Convention has been divided into committees as provided by the Rules adopted on July 11, 1967. I have to the best of my ability made assignments to these committees with the single-minded purpose of providing the best possible committee organization for the Convention. In doing so, I do not doubt that I have irritated some and disappointed other delegates. For this I am sorry and I sincerely trust that any of you disappointed in receiving the committee assignment which he sought will nevertheless put his shoulder to the wheel and

give his all, and I am confident that you will.

To assist the committees as much as possible, we are in the process of providing as capable a staff as we can recruit. Each committee will have assigned to it a full-time staff adviser--a person who has the educational background and the practical experience to enable him to assist the chairman in planning and guiding the work of the committee and to counsel with and aid the committee in its hearings, in its deliberations and in its drafting. There will also be assigned to each committee a full-time administrative assistant whose duty it will be to relieve the chairman and the staff adviser of the purely administrative functions such as scheduling hearings, notifying persons of postponed hearings, arranging for the use of the appropriate hearing rooms when the occasion requires it, assisting the staff adviser in preparing the committee's recommendations, seeing that the committee's recommendations are processed through the proper channels, and doing the other myriad administrative tasks which will be required in connection with the work of each committee. The only other full-time personnel of each committee will be one secretary to the chairman and the committee and one assistant secretary who will also serve as the personal secretary of the members of the committee.

To these committee staff persons, we will add a group of research assistants--professional people skilled in various phases of research. They will be available upon assignment by the Director of the Research Staff or the Chief of Staff to perform specific research projects for various committees.

In recruiting a staff for the Convention, we have kept in mind the fact that this Constitutional Convention of Maryland is not only unique in our generation but is not likely to be repeated in this State for several more generations. We have therefore endeavored to select not only competent professional and clerical personnel but also to involve to the greatest possible extent the young people of our State so that they too may be a part of this historic undertaking and become imbued with a desire to participate actively in public affairs or even perhaps to make a career of public service. Do not be surprised therefore to discover among the staff assigned to positions normally not thought of as professional, persons of professional stature, capacity and competence, and do not be surprised to find that the young men and women who serve as administrative assistants to the committees are similarly trained and skilled.

As a part of this same policy of involving the young citizen, we have, with the support and assistance of the State Department of Education, recruited approximately fifty young

boys and girls, all of whom are honor students in advanced senior classes in the secondary schools of the State. They have been nominated by the principals of their schools, not only for their scholastic excellence, but also for their interest in the work of the Constitutional Convention and what it means to the State of Maryland, their desire to participate and their other qualities of alertness and leadership. They will serve as your pages in the sessions of the Committee of the Whole and of the Convention and as messengers to the committees. Several will serve continuously throughout the session, but most of them will serve for periods of two weeks, after which they will return to their classes for a period and then serve again for another two-week period so that each of these young people will serve as a page for a period of at least four weeks. They are not observers; they are workers. During the period of their service they will be housed in Annapolis either at St. John's College or in private homes, and they will work full time each and every day of their service. Use them, make them feel that they are earning their pay, performing a service and participating in a public event of the highest order. They will carry back to their homes, to their schools, and to their friends and acquaintances an impression of the work of this Convention which could be obtained in no other way.

This Convention, by an overwhelming vote at its

organization session on July 11, adopted the principle that all sessions of the Convention and of its committees should be open to the public. In keeping with this principle and in accordance with the requirements of Section 14 of the Convention Enabling Act, we plan to provide not merely a public relations office but an information service which we hope will, as its name implies, furnish complete information service not only to the press and other news media but also to visitors and to the public generally.

This information service will be housed in one corner of the large room used by the Department of Legislative Reference during sessions of the General Assembly and will be freely accessible to the public at all times. A card index showing the current status of every proposal pending before the Convention and each of its committees will be maintained and the information service will at all times have on hand readily available a copy of every delegate proposal, committee recommendation or other document prepared for the use of delegates or distributed to them.

The information service will be staffed by persons whose duty it will be not merely to prepare formal press releases or other public information bulletins but

to answer inquiries as to every phase of the operations of the Convention. They are to be of service and will, upon the request of any representative of the news media or any member of the public, obtain information necessary to answer any reasonable inquiry. It will be our purpose to have complete and current coordination between each committee and the information service through the medium of the administrative assistants so that the information service will be aware of what is happening in every committee at all times.

It should be noted at this point that the State Department of Education has also worked out for the secondary schools of the State a course of study on the need for constitutional revision in Maryland, and the activities of this Convention will become an important part of the teaching in those schools of civics, history and of courses in the problems of democracy. The Constitutional Convention Commission and your officers have cooperated with the State Department of Education in this project, and the State Superintendent of Schools a few days ago issued an elaborate resource guide on the Maryland Constitutional Convention comprising approximately 115 pages and designed especially to aid the teachers in the secondary public schools of the State. In addition, a seminar for those teachers will be

held in a few days to discuss this program in detail. As a part of this program, large numbers of school children will be visiting the Convention and observing its work throughout the next three months.

Other institutions and interested groups are likewise planning special lectures, seminars and discussion groups and visits to the Convention. For instance, the Enoch Pratt Library in Baltimore and the Baltimore County Library are jointly undertaking a very comprehensive program of public information and education on the subject of the Constitutional Convention and have invited representatives of Baltimore City and Baltimore County business and community groups to meet with library representatives next week to discuss methods of accomplishing this purpose. Your officers will also participate in this session.

All of these efforts will, we hope, result in the visits of numerous groups, both large and small, to observe the work of the Convention in the next few months. We have thus far had requests from several large groups--one consisting of two hundred teachers--to observe the Convention in session. It is of course highly desirable that this participation by the public be encouraged in every possible way, and, at the same time, it must be done in such a way as not to interfere with the work of the Convention or of its committees. To assist in this and to make these visits

more meaningful, we hope to have each group visiting the Convention first assemble to view either a motion picture or one of three narrated slide shows which are available and to hear a brief talk from a member of the Convention staff specially assigned for this purpose. This staff member will then escort the group to committee rooms or to the Convention galleries. It will be the duty of the staff tour leader to be familiar with the particular topic being discussed by the committee or the Convention at the time of the tour so that he may inform the visiting group about it and answer any questions which may be asked.

Nearly two weeks ago, your officers and the chairmen of all committees had a lengthy session at which we reviewed the organization of the Convention staff and considered a possible timetable for the work of the Convention. We are all agreed that the work of the Convention must be planned for completion within ninety days so that the possible thirty days additional which may be authorized will be available as a cushion of time to provide for unexpected contingencies. To achieve this goal of completion in ninety days, we must plan our work on a schedule of five days a week from 9:00 A. M. to 5:00 P. M. beginning immediately.

I will not attempt this afternoon to give you all the details of the program, except to point out that very, very roughly we contemplate thirty days for hearings,

thirty days for drafting and discussion, and thirty days for debate and decision. At the early stages of our work there will not be a necessity for lengthy sessions of the Convention and no necessity for sessions of the Committee of the Whole. Accordingly, in order to allow as much uninterrupted time as possible for committee hearings, the daily sessions of the Convention will, for the present time, be scheduled for 2:00 P. M. For the most part, they will probably last only one-half hour or a little more. This will permit committees to have continuous hearings from 9:00 A. M. until lunchtime and then to resume for a discussion or study period following the recess of the Convention until approximately 5:00 P. M. I have no doubt that even with this schedule longer and later sessions will be required toward the end of the ninety-day period.

Each of you knows from the memoranda heretofore sent to you that your two vice-presidents and I are each assigned as liaison members to several committees and that members of the Committee on Style, Drafting and Arrangement and members of the Committee on Calendar and Agenda are also assigned as liaison members to the several committees. This is for the purpose of coordinating the work of the various committees to the greatest possible extent. To further this effort at coordination and to

keep the Convention operating as smoothly as possible, your officers plan to have brief daily meetings among themselves and, in addition, will meet regularly once a week with the chairmen and vice-chairmen of committees. There will also be meetings of the professional staff at regular intervals. Suggestions from any of you to aid further in coordinating the work of the Convention or of its committees will be gratefully received.

The chairmen of the committees at our meeting week before last agreed to present the draft constitution recommended by the Constitutional Convention Commission as proposals to the Convention. Each article or other appropriate subdivisions of the draft constitution will be submitted as a separate proposal. There are sixteen such proposals which are being introduced today by the chairmen of the respective committees at the request of the Constitutional Convention Commission.

On behalf of each chairman, I want to point out that the introduction of a proposal by him does not indicate that he personally either agrees or disagrees with the provisions of the proposal. The introduction by the chairman is merely a means of placing the draft constitution recommended by the Constitutional Convention Commission formally before the Convention.

Each delegate has heretofore received a copy of

the interim report of the Constitutional Convention Commission. Each of you should have received this morning a copy of the final report of the Constitutional Convention Commission, Chapters III and IV of which are the same as the interim report which you heretofore received. The remaining four chapters and appendix will, it is hoped, furnish much additional valuable information for the delegates. It is intended that these reports shall be used by you as working documents and whatever number of copies you may desire will be available for you so that you may mark up your present copies in any way you choose. The copy of the report which you received this morning is paperbound, but within the next week or two each delegate will receive an additional copy of the report bound in more durable cloth.

The program which I have outlined cannot be achieved easily. I know of no method or procedure by which our goal can be reached except by patient, persistent and unremitting toil. There is no high speed, easily traveled freeway available to us but only the winding, twisting, tortuous and narrow road of concentrated effort, at times rutted with despair, beset with curves around which we cannot see too clearly and requiring courage and boldness to travel but leading us ever onward and upward until we reach the peak of completion when we can see laid out in its entirety, as though

a panorama viewed from a mountain top, a constitution which we can gladly recommend to the people of the State of Maryland, a constitution to which we will all be honored to subscribe our names, and a constitution which will not only be adopted by the people of the State of Maryland but proudly accepted by them as their basic law for the present and the foreseeable future. I pledge to you my complete dedication to this purpose.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the transparency and accountability of the organization. The text also mentions that records should be kept for a minimum of five years, unless otherwise specified by the relevant authorities.

2. The second part of the document outlines the procedures for handling financial data. It states that all financial transactions must be recorded in a clear and concise manner, using standardized formats and codes. The document also mentions that the data should be reviewed and audited regularly to ensure its accuracy and reliability.

3. The third part of the document discusses the role of the finance department in the overall management of the organization. It states that the finance department is responsible for providing accurate and timely financial information to the management and the board of directors. The document also mentions that the finance department should work closely with other departments to ensure that all financial transactions are properly recorded and reported.



CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Wed., Sept. 13, 1967

The Convention met at 2:00 P.M.

Invocation was offered by Rev. Bruce K. Price, Delegate from Baltimore County, Maryland

Present at roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E.J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, O'Connor, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Robey F.C., Robie K.L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total--139

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

MOTIONS AND RESOLUTIONS

Resolution No. 1-- By Delegate Scanlan.

BE IT RESOLVED, that the President be and is hereby authorized to appoint the Secretary, the Chief Clerk, the Sergeant At Arms, the Parliamentarian, the Historian and such other officers as may be necessary from time to time.

On motion of Delegate Scanlan, duly seconded, Rule No. 40 was suspended by yeas and nays and Resolution No. 1 was adopted by voice vote.

ANNOUNCEMENTS

The following Committee appointments were announced:

COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE

Kiefer, Richard W., Chairman

Beachley, Catherine L.**

Bennett, James V.

Bothe, Elsbeth Levy***

Burgess, George E.

Child, Godfrey

Dabrowski, Edward, Jr.

Groh, Vincent R.

Hardwicke, John W.

Hostetter, E. Ralph

James, William S.*

Kosakowski, Chester A.

Mitchell, Juanita Jackson

Murray, E. Churchill

Price, Bruce K.

Taylor, Lloyd

Weidemeyer, C. Maurice

Willoner, Ronald

* Officer Liaison Member

** Style Committee Liaison Member

*** Calendar and Agenda Committee Liaison Member

COMMITTEE ON SUFFRAGE AND ELECTIONS

Koss, Helen L., Chairman

Baumann, Albert F.

Byrnes, John Carroll**

Cardin, Shoshana

Chabot, Herbert L.

COMMITTEE ON SUFFRAGE AND ELECTIONS (Cont.)

Clark, James*
Frederick, LeRoy
Hutchinson, Donald P.
Miller, Edward T.***
Murray, Dorothy Scott
Pascal, Robert A.
Rybczynski, Edward B.
Schloeder, Nicholas M.
Soul, James E.
Taylor, Harry E., Jr.
White, John W., Jr.

* Officer Liaison Member
** Style Committee Liaison Member
*** Calendar and Agenda Committee Liaison Member

COMMITTEE ON THE LEGISLATIVE BRANCH

Gallagher, Francis X., Chairman
Anderson, Marvin I.
Bamberger, E. Clinton, Jr.
Bard, Harry
Burdette, Franklin L.**
Bushong, E. Stuart
Clark, James*
Della, George W.
Gilchrist, C. William
Gill, Rubye H.
Gleason, James P.
Hanson, Royce***
Hopkins, Anne D.
Linton, Samuel C., Jr.
Malkus, Frederick C., Jr.
Miller, Beatrice**
Neilson, Vernon L.

COMMITTEE ON THE LEGISLATIVE BRANCH (Cont.)

Peters, William H., Jr.

Scanlan, Alfred L.

Sollins, Stanley

* Officer Liaison Member

** Style Committee Liaison Member

*** Calendar and Agenda Committee Liaison Member

COMMITTEE ON THE EXECUTIVE BRANCH

Morgan, Gerald D., Chairman

Adkins, E. Dale, Jr.

Beall, J. Glenn, Sr.

Boileau, Raymond G.

Boyce, C. Meredith

Buzzell, Allen E.**

Dorsey, Philip H.

Finch, Walter G.

Fornos, Werner H.

Harris, Charney L.

James, William S.*

Mason, David T.

Maurer, Lucille

O'Connor, Herbert R., Jr.

Powers, Ralph W.***

Robey, Frank C., Jr.

Sickles, Carlton R.

Storm, Edward D.

Sybert, C. Ferdinand

Tawes, J. Millard

* Officer Liaison Member

** Style Committee Liaison Member

*** Calendar and Agenda Committee Liaison Member

COMMITTEE ON THE JUDICIAL BRANCH

Mudd, F. DeSales, Chairman
Bradshaw, J. Douglas
Cicone, Audrey Ward
Cleveland, Richard F.
Dulany, William B.
Eney, H. Vernon*
Hargrove, John R.
Harkness, David A.
Henderson, William L.
Hickman, Carter M.
Johnson, Joseph L.**
Kahl, Susan M.
Marion, J. Hardin***
Murphy, Joseph P.
Rosenstock, Benjamin B.
Rush, William
Schneider, Melvin L.
Siewierski, R. Skip
Smith, J. Hodge
Smith, Marvin H.

* Officer Liaison Member

** Style Committee Liaison Member

*** Calendar and Agenda Committee Liaison Member

COMMITTEE ON LOCAL GOVERNMENT

Moser, M. Peter, Chairman
Barrick, Samuel W.
Borom, Roy***
Boyles, Henry B.
Bryson, Mary B.
Carson, Robert J.**
Clagett, Hal C.B.
Eckenrode, Quintin T.

COMMITTEE ON LOCAL GOVERNMENT (Cont.)

Eney, H. Vernon*
Fox, Hamilton P.**
Freedlander, Leah S.
Grant, William W.
Gullett, William W.
Leitzel, John F.
Macdonald, David
Needle, Howard J.
Neumann, John W.
Ulrich, Cathrine B.
Wagandt, Charles L.
Winslow, Clinton I.

* Officer Liaison Member
** Style Committee Liaison Member
*** Calendar and Agenda Committee Liaison Member

COMMITTEE ON STATE FINANCE AND TAXATION

Sherbow, Joseph, Chairman
Abramson, Murray
Armor, G. Maxwell, Jr.
Case, Richard W.
Darby, Perry E.
Dukes, Charles A., Jr.
Grumbacher, Richard***
James, William S.*
Koger, Earl, Sr.
Mentzer, Margaret B.**
Mosner, John H.
Raley, J. Frank, Jr.
Rollins, Edward D.E., Jr.
Stern, Howard L.
Webb, W. Waverly
Willis, Charles W.

* Officer Liaison Member
** Style Committee Liaison Member
*** Calendar and Agenda Committee Liaison Member

COMMITTEE ON GENERAL PROVISIONS

Boyer, Elroy G., Chairman
Blair, Frank J.
Caldwell, Gerard V.
Clark, James*
Clarke, Edward J.:***
Jett, R. Samuel
Key, Addie J.
Kirkland, Arthur W.**
Lord, Henry R.
Pullen, Thomas G., Jr.
Robie, Kathleen L.
Singer, Marvin I.
Sosnowski, Lee J.
Vecera, Vincent J.
Webster, Ralph R.
Wheatley, Charles H.

- * Officer Liaison Member
- ** Style Committee Liaison Member
- *** Calendar and Agenda Committee Liaison Member

COMMITTEE ON STYLE, DRAFTING AND ARRANGEMENT

Penniman, Howard R., Chairman
Beachley, Catherine
Burdette, Franklin L.
Buzzell, Allen E.
Byrnes, John Carroll
Carson, Robert J.
Eney, H. Vernon*
Fox, Hamilton P.
Johnson, Joseph L.
Kirkland, Arthur W.
Mentzer, Margaret B.
Miller, Beatrice

- * Officer Liaison Member

COMMITTEE ON CALENDAR AND AGENDA OF THE CONVENTION

Powers, Ralph W., Chairman
Borom, Roy
Bothe, Elsbeth Levy
Clark, James*
Clarke, Edward J.
Grumbacher, Richard
Hanson, Royce
Marion, J. Hardin
Miller, Edward T.

* Officer Liaison Member

COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET

Scanlan, Alfred L., Chairman
Armor, G. Maxwell, Jr.
Bamberger, E. Clinton, Jr.
Boileau, Raymond G.
Bryson, Mary B.
Grant, William W.
Henderson, William L.
James, William S.*
Malkus, Frederick C., Jr.
Mason, David T.
Raley, J. Frank, Jr.
Sickles, Carlton R.

* Officer Liaison Member

At 2:43 P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Thursday, September 14, 1967 at 2:00 P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Maryland
Thursday, Sept. 14, 1967.

The Convention met at 2:00 P.M.

Invocation was offered by Reverend Bruce K. Price, Delegate, Baltimore County.

Present at roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E.J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E.T., Mitchell, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, O'Connor, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Robey F.C., Robie K.L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

Total - 138

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY A VOICE VOTE.

INTRODUCTION AND FIRST READING OF PROPOSALS

Delegate Proposal No. 17 - By Delegate Johnson.

A PROPOSAL entitled Suffrage and Elections, subtitled Referendum Petition, providing for referendum petition based on five per-cent (5%) of votes of recent gubernatorial election.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 18 - By Delegate Chabot.

A PROPOSAL entitled Declaration of Rights, outlining Article I of the Constitution including purpose; Freedoms of Speech, Press and Assembly; Freedom of Religion; Right to Vote; Due Process; Security and Privacy; and Rights of the Accused.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 19 - By Delegates Bennett and Bothe.

A PROPOSAL that Section 1.11 of Article I, Declaration of Rights, entitled Unusual Punishment shall read:

Excessive bail shall not be required. Neither excessive fines nor Capital or other cruel and unusual punishment shall be provided by law or be imposed by the courts.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 20 - By Delegates Grumbacher, Hanson, Koss, Schloeder and Sollins.

A PROPOSAL entitled Ombudsman to establish the office of Ombudsman to receive complaints and investigate administrative actions.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LEGISLATIVE BRANCH.

Delegate Proposal No. 21 - By Delegates Hutchinson and Kahl.

A PROPOSAL entitled Voter Qualifications establishes legal voting age at eighteen years with a six months residency requirement.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 22 - By Delegates Fornos, Abramson, Boileau, Borum, Boyce, Grant, Hanson, Harris, Kirkland, Pascal, Robey, Schneider, Sosnowski, Ulrich and Wheatley.

A PROPOSAL to reduce from 21 to 19 the minimum age qualification for voters.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 23 - By Delegate Koger.

A PROPOSAL entitled Audit, that a general audit of the State finances shall be authorized by the Legislature every five years.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 24 - By Delegate Sherbow.

A PROPOSAL entitled Lottery to consider whether or not the Constitution should provide for, or prohibit, lotteries.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

MOTIONS AND RESOLUTIONS

Resolution No. 2 - By Delegate Della.

A RESOLUTION concerning the daily schedule of the Constitutional Convention to read:

* * *

BE IT RESOLVED BY THE CONSTITUTIONAL CONVENTION that beginning as of Monday, September 18, meetings of the Convention shall not begin prior to 8 P.M. on Monday of each week; and

BE IT FURTHER RESOLVED that for extraordinary or unusual needs, this schedule may be changed by a majority of members of the Convention from time to time.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

At 2:50 P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Friday, Sept. 15, 1967 at 2:00 P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Maryland
Friday, Sept. 15, 1967

The Convention met at 2:00 P.M.

Invocation was offered by Rev. Leslie L. Fairfield,
Annapolis, Md.

Present at roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins,
Anderson, Bamberger, Bard, Barrick, Baumann, Beachley,
Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyer,
Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong,
Buzzell, Byrnes, Caldwell, Cardin, Carson, Chabot,
Child, Cicone, Clagett, Clarke E.J., Cleveland, Dabrowski,
Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch,
Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist,
Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson,
Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman,
Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key,
Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton,
Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer,
Miller B., Miller E.T., Mitchell, Moser, Mosner, Mudd,
Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann,
O'Connor, Pascal, Penniman, Peters, Powers, Price, Raley,
Robey F.C., Robie K.L., Rollins, Rosenstock, Rush,
Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles,
Siewierski, Singer, Smith J.H., Smith M.H., Sollins,
Sosnowski, Soul, Stern, Storm, Sybert, Taylor H.E.,
Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley,
White, Willis, Willoner, Winslow.

Total - 136

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda,
reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

On the motion by Delegate Powers, it was duly seconded, that
the rules be suspended so that Resolution #2 could be considered
at this session.

REPORT OF COMMITTEE ON
RULES, CREDENTIALS, AND CONVENTION BUDGET

Mr. Scanlan, Chairman of the Committee on Rules, Credentials, and Convention Budget, gave the First Report of the Committee on Rules, Credentials, and Convention Budget introduced September 12, 1967.

Amendment to Rule 5 -- In Rule 5 delete the third sentence and insert the words, "a vice-chairman," after the word, "chairman," in the first sentence.

On the motion of Delegate Scanlan, duly seconded,
the above amendment to Rule 5 was tabled by yeas and nays as follows:

Affirmative

Delegates--

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Bothe, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Kosakowski, Koss, Leitzel, Linton, Lord, Malkus, Marion, Maurer, Mentzer, Miller B., Miller E. T., Moser, Mosner, Mudd, Murphy, Murray D. S., Needle, Neilson, Neumann, O'Connor, Pascall, Pennimann, Peters, Powers, Price, Raley, Robey F. C., Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Ulrich, Vecera, Wagandt, Webb, Wheatley, Willis, Willoner, Winslow.

Total - 125

Negative

Delegates--

Borom, Cardin, Carson, Koger, Macdonald, Mason, Mitchell, Murray E. C., Taylor L., Weidemeyer, White.

Total - 11

Not Voting

Delegates--

Armor, Boyce, Case, Morgan, Pullen, Webster.

Total - 6

Amendment to Rule 20-- "Rule 36", appearing in the second line of Rule 20, should read "Rule 37".

With permission of the Convention the above amendment to Rule #20 was withdrawn.

New Rule 20A-- Add a new Rule 20A, to follow Rule 20.

"Except upon the affirmative vote of a majority of the delegates then present and voting, no delegate may speak longer than fifteen (15) minutes without being required by the presiding officer to yield the floor. The restriction imposed by this Rule shall not be applicable to chairmen and vice-chairmen of committees when the latter are presenting a report of their committee to the Convention or to the Committee of the Whole, and the same exemption from the requirement of this Rule shall also be applicable in the case of the chief spokesman for a minority report of a committee of the Convention."

WHICH AMENDMENT WAS READ AND ADOPTED BY VOICE VOTE.

Amendment to Rule 21-- At the beginning of the first sentence of Rule 21, add the following language:

"Except in the case of the delegates who have been elected as officers of the Convention,"

WHICH AMENDMENT WAS READ AND ADOPTED BY VOICE VOTE.

Amendment to Rule 24-- At the conclusion of the title of Rule 24, add the phrase "and the Committee of the Whole". In the next-to-last line of the Rule, after the word "Convention", add "or of the Committee of the Whole".

WHICH AMENDMENT WAS READ AND ADOPTED BY VOICE VOTE.

Amendment to Rule 28-- Add as a last sentence to present Rule 28 the following:

"All committee recommendations shall be accompanied by a concise written explanation of the reasons for the committee's actions."

WHICH AMENDMENT WAS READ AND ADOPTED BY VOICE VOTE.

Amendment to Rule 28-- Add a new Rule 28A to follow Rule 28 and to read as follows:

"Except, upon the affirmative vote of a majority of the delegates present and voting, the Committee of the Whole will receive no final report of a substantive committee after November 17, 1967."

WHICH AMENDMENT WAS READ AND ADOPTED BY VOICE VOTE.

Amendment to Rule 36-- Add the phrase "except the Committee on Style, Drafting and Arrangement" after the word "committee" just prior to the semi-colon appearing in the sixth line of Rule 36.

WHICH AMENDMENT WAS READ AND ADOPTED BY VOICE VOTE.

Amendment to Rule 37-- On page 11 of the mimeographed Rules, it is proposed that a Rule 37 be adopted, to read as follows:

"Before a proposal is taken up by the Committee of the Whole, any delegate (with the Chairman of the Committee On Calendar and Agenda to have the prior right) shall be privileged to move that a limitation be placed upon the time of the debate and consideration of such proposal by the Committee of the Whole, provided that equal time is to be afforded to the proponents and the opponents of such proposal, and the Committee may fix in advance of consideration of a proposal or proposals a time for the Committee to rise and report."

WHICH AMENDMENT WAS READ AND ADOPTED BY VOICE VOTE.

Amendment to Rule 48-- In Rule 48 and at the end of line 15 thereof insert a period after the word "question"; in line 16 thereunder strike out the following: "or questions in their order down to and including the main question"; and in lines 1 and 2 at the top of page 16 strike out the following: "provided, however, that when the previous questions shall be ordered amendments then on the chief clerk's desk shall be acted upon".

WHICH AMENDMENT WAS READ AND ADOPTED BY VOICE VOTE.

Miscellaneous Recommendations of the Committee

In addition to the amendments proposed above, the Committee recommends that the Secretary be empowered to correct any errors in the cross-references appearing the Rules of the Convention.

The Committee recommended against the proposal which would have limited debate on third reading to new matter. The Committee did so because the liberality with which the previous question may be moved under these Rules would preclude the use of third reading as a last stand filibuster.

The Committee also considered whether or not it was necessary to make a formal rule change in order to permit the presiding officer to recognize a committee chairman for the purpose of merely making a short oral status report of the activities of his committee. These reports would keep the delegates informed of the activities of the various committees but the Committee decided that no change in the rules was necessary to authorize the presiding officer to recognize a committee chairman for the

purpose of making an oral report. However, in no sense are such oral reports equated with the formal written reports the committees will submit in connection with their substantive recommendations.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

Mr. Scanlan, Chairman of the Committee on Rules, Credentials and Budget reported unfavorably on Resolution No. 2 concerning the daily schedule of the Constitutional Convention introduced by Delegate George W. Della, September 14, 1967.

UNFAVORABLE REPORT ADOPTED BY VOICE VOTE.

INTRODUCTION AND FIRST
READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 25-- by Delegate Hardwicke

A PROPOSAL that the Constitution shall expire on the first day of January of the year 2000 unless it shall have been extended for a further period by the vote of the People of the State of Maryland in accordance with the provisions hereof for amendment.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 26-- by Delegate Bard

A PROPOSAL entitled Preamble to read: We, the people of the State of Maryland, recognizing the rights and duties of this state as a part of the federal system of government, reaffirm our adherence to the Constitution of the United States of America; and in order to assure the state government power to act for the good order of the state and the liberty, health, safety and welfare of the people, we do ordain and establish this constitution.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 27--

Vacant

Delegate Proposal No. 28-- by Delegate Rybczynski

A PROPOSAL entitled Eminent Domain - private property and the rights of ownership appurtenant thereto shall not be taken for public use without just compensation; and in addition thereto, reasonable counsel fee, moving costs, transfer taxes, and settlement charges.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 29-- by Delegates Kirkland and Sosnowski

A PROPOSAL entitled Higher Education, subtitle Board of Regents, provides that all public institutions of higher education shall be managed by a Board of Regents who have exclusive general supervision of the institutions and the control and direction of all expenditures from the institutions' funds.

The Regents will elect a chancellor of Higher Education who will appoint presidents of the various public institutions of Higher Education, subject to the approval of the Board of Regents.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 30-- by Delegate Fornos

A PROPOSAL entitled Audit to make the General Assembly of Maryland responsible for post audit of state revenues and expenditures.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 31-- by Delegate Kiefer

A PROPOSAL that consideration be given to the inclusion in the new Constitution of Articles 1 through 45 inclusive of the present Declaration of Rights except the second clause of Article 24 which deals with compensation for slaves.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 32-- by Delegates Armor and Abramson

A PROPOSAL that the Position, Lieutenant Governor be provided as an Elective Official of the State.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 33-- by Delegate Darby

A PROPOSAL entitled Qualifications of Legislators establishes 2 year State residency with 1 year District residency requirements. Age requirements - Senator 25, Delegate 21.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 34-- by Delegates Murphy, Vecera and Harris

A PROPOSAL entitled Labor establishes a system of workmen's compensation and insures the rights of employees to organize and bargain collectively.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 35-- by Delegates Taylor, Hardwicke, Mitchell

A PROPOSAL that the Bill of Rights contain a provision establishing the rights of accused in all administrative proceedings of state agencies.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 36-- by Delegate Dukes

A PROPOSAL that the Declaration of Rights contain a prohibition against any form of governmental immunity where support by tax revenues is involved.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 37-- by Delegate James

A PROPOSAL that the Governor's term of office shall begin on the second Wednesday in December.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON EXECUTIVE BRANCH.

Delegate Proposal No. 38-- by Delegates Mitchell, Taylor, Borom and White

A PROPOSAL entitled privilege and immunities that no officer, servant, or licensee of the State of Maryland shall deny or abridge the privileges or immunities of any person.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 39-- by Delegates Weidemeyer, Kosakowski and Rush

A PROPOSAL entitled Lottery that the Constitution permit the Legislature to enable a lottery to be established and operated for and by the State.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 40 -- By Delegate James.

A PROPOSAL that the incumbent of any elected office shall remain in office until his successor shall have qualified.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

MOTIONS AND RESOLUTIONS

Motion No. 1 -- By Delegate Robey.

Amendment to Standing Rules of the Convention.

Amendment to Rule 22 - On page 8 of the mimeographed Standing Rules of the Constitutional Convention add at the end of the list of standing committees the following:

"12. Committee on Public Information."

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

ANNOUNCEMENTS

The President announced that delegate proposals should be in the Chief Clerk's Office two hours before the time of the session.

At 3:34 o'clock P. M., on motion of Mr. Powers, duly seconded, the Convention adjourned until Monday, September 18, 1967, at 4:00 o'clock P. M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Monday, Sept. 18, 1967

The Convention met at 4:00 o'clock P.M.

Invocation was offered by Rev. Winslow Shaw of Annapolis, Maryland.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E.J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Litzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E.T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Robey F.C., Robie K.L., Rollins, Rosenstock, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.
Total 137

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 42 -- By Delegate White.

A PROPOSAL to include in the Constitution, Article I, Declaration of Rights, a prohibition against discrimination. Neither the state government nor any subdivision of government will discriminate against any American Citizen on a basis of race, sex, color, age, religion or physical handicap.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 43 -- By Delegate White.

A PROPOSAL to include in the Constitution, Article I, Declaration of Rights, A prohibition again discrimination. Neither industry, labor unions, religious institutions nor other organizations will discriminate against American citizens on a basis of race, color, sex, religion, age or physical handicap.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 44 -- By Delegate White.

A PROPOSAL that no individual, firm, profession nor religious institution will be issued a license to function if appropriate services are withheld on a basis of sex, race, religion, color, age or physical handicap.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 45 -- By Delegates Boileau and D.S. Murray.

A PROPOSAL that a general election shall be held on the Tuesday following the first Monday in November in the year 1971 and on the same day every four years thereafter. The candidates receiving the highest number of votes shall be elected to the offices for which they were candidates.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 46 -- By Delegates Vecera and Murphy.

A PROPOSAL that a vacancy in the General Assembly shall be filled by action of the Governor appointing the person nominated by the State Central Committee of the party to which the vacating legislator belongs.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 47 -- By Delegates Vecera and Murphy.

A PROPOSAL that the General Assembly may prescribe capital punishment as a penalty for offenses.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 48 -- By Delegates Vecera, Murphy and Byrnes.

A PROPOSAL that at least 1 Senator, but not more than 2 Senators, shall represent each Senatorial District. At least 1 Delegate, but not more than 8 Delegates, shall represent each House District.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 49 -- By Delegates Vecera and Murphy.

A PROPOSAL to prohibit all local units of government from imposing on the residents a tax on income.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 50 -- By Delegates Vecera and Murphy.

A PROPOSAL that the boundaries of the Councilmanic Districts of Baltimore City must always coincide with the boundaries of the Legislative Districts of Baltimore City. This provision is to take effect at the mayoralty election in September, 1971.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 51 -- By Delegate Chabot.

A PROPOSAL for Article II, Suffrage and Elections, which includes voter qualifications; election procedure; and referendum procedures.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 52 -- By Delegate Koger.

A PROPOSAL that no person shall be deprived of life, liberty or property without due process of law, or be denied the equal protection of the laws, or be subject to discrimination by law or other governmental action or denied the enjoyment of any civil or political right because of race, creed or color.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 53 -- By Delegate Koger.

A PROPOSAL that the State or any sub-division thereof shall not grant a public license to any person or firm that shall deny any right to any person because of race, creed or color.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 54 -- By Delegate Siewierski.

A PROPOSAL that the General Assembly shall convene annually for a period of ninety days.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 55 -- By Delegate Siewierski.

A PROPOSAL entitled Right of Referendum. If within sixty days from the date on which a bill becomes law, a petition is filed with the office of the governor to refer the law to a vote of the people, the law shall be submitted to a vote at the next general election. If rejected by a majority of those voting on the question, the law shall stand repealed thirty days thereafter, and shall not be reenacted for a period of two years. If the petition is filed before the date on which the law is to take effect, then, unless the law is passed by the affirmative vote of three-fifths of all the members of each house of the General Assembly, it shall not take effect until thirty days after its approval by a majority of those voting on the question in the election.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 56 -- By Delegate Cardin.

A PROPOSAL entitled Due Process that no person shall be deprived of life, liberty or property without due process of law, or be denied the equal protection of the laws, or be subject to discrimination by law or other governmental action because of religion, race, color, national origin or sex.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 57 -- By Delegate Byrnes.

A PROPOSAL entitled Initiative and Referendum that reserves to the people the power to propose laws and to enact or reject such laws at the polls. The sponsors of an initiative petition shall incorporate therein either the full text of the law proposed or an adequate summary. The petition shall be signed by qualified voters equal in number to at least 5 per cent of the total votes cast for governor in the last preceding gubernatorial election. Initiative petitions shall be filed with the secretary of the legislature. If the proposed law is not enacted into law at the next ensuing session of the legislature, the question of the adoption of the proposed law shall be submitted by the secretary of the legislature to the qualified voters at the first regular election held not less than sixty days after the end of the session which fails to enact the proposal. The legislature may provide by law for a procedure by which the sponsors may withdraw an initiative petition at any time prior to its submission to the people.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 58 -- By Delegate Byrnes.

A PROPOSAL to establish general election dates for state and local elections at two year intervals and provide for primary elections.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 59 -- By Delegate Byrnes.

A PROPOSAL that State's Attorneys be appointed pursuant to the same procedures and mechanism suggested for judicial appointments in the Commission Draft.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 60 -- By Delegate Hutchinson.

A PROPOSAL to provide for students rights in cases of offense against college policy.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 61 -- By Delegate Hutchinson.

A PROPOSAL that provides for re-introduction of defeated laws after three years or upon petition of 6% of votes cast for recent gubernatorial election.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 62 -- By Delegate Edward Dabrowski.

A PROPOSAL entitled General Elections. A general election shall be held on the second Sunday in November in the year 1970, and on the same day every even year thereafter.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 64 -- By Delegate Marion.

A PROPOSAL that should a bicameral legislature be adopted one senator shall represent each senatorial district. At least one delegate, but not more than three delegates, shall represent each house district.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 65 -- By Delegate Marion.

A PROPOSAL that the Constitution provide for the filling of vacancies in the General Assembly by special election rather than by appointment.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 66 -- By Delegates Lee J. Sosnowski and Arthur W. Kirkland.

A PROPOSAL entitled Public Education that the General Assembly shall establish throughout the State of Maryland a System of Free Public Schools which shall consist of a program of pre-school education and a minimum of two years of post high school education; and shall provide by taxation, or otherwise, for their maintenance. The General Assembly shall also provide for such other public educational institutions as may be desirable for the intellectual, cultural and occupational development of the people of this State.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 67 -- By Delegate Wagandt.

A PROPOSAL entitled General Assembly - Size, that the number of members of each house of the General Assembly shall be prescribed by law, but the number of delegates shall not be less than 80 nor more than 110. The number of senators shall not exceed one third of the number of delegates. At least one delegate, but not more than three delegates, shall represent each house district. Each senator shall represent one senate district.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

MOTIONS AND RESOLUTIONS

Delegate White, duly seconded, moved to take off the table Amendment to Rule 5 placed on the table on September 16, 1967.

Said motion was rejected by yeas and nays as follows:

Affirmative

Delegates--

Clark J., Bennett, Boileau, Buzzell, Byrnes, Carson, Fornos, Gill, Hargrove, Hutchinson, Mason, Mitchell, Penniman, Schloeder, Taylor L., White.

Total 16

Negative

Delegates--

Tawes, James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Blair, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Bushong, Caldwell, Cardin, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Maurer, Mentzer, Miller B., Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Peters, Powers, Price, Pullen, Raley, Robey F. C., Robie K. L., Rollins, Rosenstock, Rybczynski, Scanlan, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Ulrich, Vecera, Wagandt, Weidemeyer, Wheatley, Willis, Willoner, Winslow.

Total 118

Not Voting

Delegates--

President, Burgess, Gleason, Miller E. T., O'Connor, Rush, Webb, Webster.

Total 8

On motion by Delegate White, duly seconded, he was allowed to speak for two minutes by yeas and nays as follows:

Affirmative

Delegates--

President, Tawes, Clark J., James, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Boileau, Borom, Bothe, Boyles, Burdette, Buzzell, Byrnes, Carson, Chabot, Child, Cleveland, Dukes, Dulany, Fornos, Fox, Gill, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Hutchinson, Kahl, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Marion, Mason, Miller B., Mitchell, Morgan, Moser, Murray E. C., Needle, Neilson, Price, Pullen, Raley, Rosenstock, Schloeder, Sherbow, Sickles, Singer, Sollins, Stern, Sybert, Taylor L., Ulrich, Wagandt, Weidemeyer, Wheatley, White, Willoner.

Total 70

Negative

Delegates--

Abramson, Adkins, Anderson, Armor, Blair, Boyce, Boyer, Bradshaw, Bryson, Burgess, Bushong, Caldwell, Case, Cicone, Clagett, Clarke E. J., Dabrowski, Darby, Della, Dorsey, Eckenrode, Finch, Frederick, Freedlander, Gallagher, Gilchrist, Harris, Henderson, Hickman, Hopkins, Hostetter, Jett, Johnson, Key, Kiefer, Kirkland, Macdonald, Malkus, Maurer, Mentzer, Mosner, Mudd, Murphy, Murray D. S., Neumann, Pascal, Penniman, Peters, Powers, Robey F. C., Robie K. L., Rollins, Rybczynski, Scanlan, Schneider, Siewierski, Smith J. H., Smith M. H., Sosnowski, Soul, Storm, Taylor H. E., Vecera, Willis, Winslow.

Total 65

Not Voting

Delegates--

Cardin, Gleason, Miller E. T., O'Connor, Rush, Webb, Webster.

Total 7

ANNOUNCEMENTS

The President advised the Convention that the Governor of Maryland would address the Convention on Friday, September 22, 1967.

At 4:56 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Tuesday, September 19, 1967, at 2:00 o'clock P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Tuesday, Sept 19, 1967

The Convention met at 2:00 o'clock P.M.

Invocation by Father Charles McDermott of Annapolis, Maryland.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Buzzell, Brynes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Della, Dorsey, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller, E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Robey F. C., Robie K. L., Rollins, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total 134

Delegates Boyce, Bushong, Darby, Dukes, Gleason, Grant, O'Connor, and Rosenstock were excused.

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 68 -- By Delegate Willoner.

A PROPOSAL entitled Religious Freedom and State Finances, Education, that no law shall be enacted respecting an establishment of religion. Every person shall have the right to worship or not to worship as he thinks most acceptable. And, no person shall be disqualified from holding a public office or be rendered incompetent as a witness or juror because of his opinion on matters of religious belief. And, no public funds shall be spent for the direct or indirect benefit or support of any sectarian activity or institution or for any activity or institution in which any sectarian or denominational tenants or doctrines are taught or in which any form of racial or religious segregation, discrimination or bias is practiced.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 69 -- By Delegate Cardin.

A PROPOSAL that an Attorney General be elected.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 70 -- By Delegates Bennett and Murray.

A PROPOSAL entitled Rights of Accused. A person accused of crime shall have the right to be informed of the charge against him in time to prepare his defense, to have the assistance of competent counsel, compensated as the legislature may provide, to be confronted with and to examine under oath or affirmation the witnesses against him, to have compulsory process for obtaining witnesses and to have a speedy and public trial in the jurisdiction where the crime is alleged to have been committed, and before an impartial jury, the concurrence of at least five-sixths of whom shall be necessary for a verdict of guilty, except in a capital case, where the unanimous consent of the jury shall be required for a verdict of guilty.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 71 -- By Delegates Beachley and Pullen.

A PROPOSAL entitled Public Education establishing the responsibility and obligation of the State to guarantee, at public expense, to each and every citizen this right--regardless of race, creed, color, sex, or financial status.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 72 -- By Delegate Dorsey.

A PROPOSAL entitled Income Tax that abolishes income tax and earnings tax after July 1, 1972.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 73 -- By Delegate Byrnes.

A PROPOSAL entitled Qualifications of Legislators which provides that no person shall be eligible as a Senator or Delegate, who is not a citizen of the State of Maryland, and who has not resided for at least three years immediately preceding the day of his election, and the last year thereof in the legislative district or subdistrict which he may be chosen to represent.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 74 -- By Delegate Sollins.

A PROPOSAL that the article of the Constitution establishing the Legislative Branch shall embody the following:

1. A unicameral body;
2. Number of legislators shall be no more than 100;
3. One member to represent each legislative district;
4. Elected for a four year term;
5. General Assembly shall be a continuing body, but shall not meet for more than 90 plenary session days per calendar.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 75 -- By Delegate William W. Gullett.

A PROPOSAL to establish the eligible voting age at 20 years.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 76 -- By Delegates John W. Neumann and David Macdonald.

A PROPOSAL that the State, its agencies and its political subdivisions and charitable organizations shall not be immune from suit.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 77 -- By Delegate William W. Gullett.

The intent of this proposal is to prohibit the general assembly from establishing taxes that are calculated on a retroactive basis.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 78 -- By Delegate Robert A. Pascal

A PROPOSAL that no person shall be in conflict of interest with Government. No person shall be qualified to be elected to any office unless he shall have filed, with the Clerk of Court, a detailed and itemized statement of his or her net worth with full and complete indication therein of any interest, either direct or indirect in its nature, in every contract, dealing or information had with any governmental body or agency.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 79 -- By Delegate Hardwicke.

A PROPOSAL that the Bill of Rights protect universal human rights and that among these rights are the right to be free from fear, hunger and want.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 80 -- By Delegates Henderson, Scanlan, and J. Hodge Smith.

A PROPOSAL that the Declaration of Rights contain a provision guaranteeing an accused the right to a trial by an impartial jury, but that the number of jurors required for conviction be prescribed by law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

MOTIONS AND RESOLUTIONS

On motion of Delegate Powers, duly seconded, the daily report of calendar and agenda was amended to allow a report by the Committee on Rules, Credentials and Convention Budget.

Mr. Scanlan, Chairman of the Committee on Rules, Credentials and Convention Budget, reported the Second Report of the Rules, Credentials and Convention Budget. The Report contained the following Resolution:

RESOLUTION

1. Persons Covered.

(a) When used in this resolution the term "agent" includes: Every person engaged or hired by any person, firm, corporation, association, political subdivision or agency of the State of Maryland or of any political subdivision, for a fee, salary or other compensation, including persons engaged or hired for an additional purpose, to promote, advocate, influence or oppose, directly or indirectly, any matter pending before or proposed to be considered by the Convention, the Committee of the Whole, or any committee or subcommittee of the Convention; and

(b) When used in this resolution the term "representative witness" includes: Every person who, without fee, salary or other compensation other than reimbursement for expenses, as representative of any other person or of any firm, corporation, association, political subdivision or agency of the State of Maryland or of any political subdivision or agency of the State of Maryland or of any political subdivision, appears before the Convention, the Committee of the Whole, or any committee or subcommittee of the Convention to promote, advocate, influence or oppose, directly or indirectly, any matter pending before or proposed to be considered by the Convention, the Committee of the Whole, or any committee or subcommittee of the Convention.

When used in this regulation, the terms "agent" and "representative witness" do not include an officer, elected or appointed official or regular employee of the State of Maryland or of any political subdivision of the State of Maryland who in the performance of his customary and regular duties as such officer, employee or elected or appointed official appears before the Convention, the Committee of the Whole or any committee or subcommittee of the Convention.

2. Time of Registration. No agent or representative witness will be permitted to appear before the Convention, the Committee of the Whole, or any committee or subcommittee of the Convention unless he shall be properly registered on the docket for the registration of agents and representative witnesses which shall be maintained by the Secretary of the Convention. Before any agent shall undertake to promote, advocate, influence or oppose, directly or indirectly, any matter by communicating with any delegate, officer or member of the staff of the Convention, the agent shall be properly registered on the docket for the registration of agents. If the office of the Secretary of the Convention is not available to accept the registration of an agent before the agent communicates with any delegate, officer or member of the staff of the Convention, the agent shall register with the Secretary of the Convention as soon as possible, and in any event within three (3) calendar days after the agent communicates with any delegate, officer or member of the staff of the Convention.

3. Registration and Confirmation. An agent or a representative witness shall register by appearing personally at the office of the Secretary of the Convention or by a written and signed statement addressed to the Secretary of the Convention at Annapolis. To register, the agent or representative witness shall state his name, occupation, business and residence addresses, the name and business and residence addresses of the person, firm, corporation, association, political subdivision or agency of the State of Maryland or of any political subdivision by whom he has been engaged or hired or whom he represents, and the matter, proposal or area of interest with which he is concerned. If the representative witness has not been engaged or hired for any fee, salary or other compensation other than reimbursement for expenses, he shall so state.

Within ten (10) days after an agent or representative witness has registered, the agent or representative witness shall file with the Secretary of the Convention a written and signed confirmation by the person, firm, corporation, association, political subdivision or agency of the State of Maryland or of any political subdivision by whom he has been hired or engaged or whom he represents which shall confirm the information stated by the agent or representative witness to the Secretary of the Convention upon registration and which shall be signed by a principal officer of the firm, corporation, association, political subdivision or agency of the State of Maryland or of any political subdivision.

4. Failure to Comply. An agent or representative witness who fails to comply with the provisions of this rule may by a majority vote of the Convention upon recommendation of the Committee on Rules, Credentials and Convention Budget be prohibited from appearing before the Convention, the Committee of the Whole, or any committee or subcommittee of the Convention for a limited time or until the Convention adjourns sine die. The Committee on Rules, Credentials and Convention Budget before it recommends to the Convention that an agent or representative witness be temporarily or permanently prohibited from appearing shall notify the agent in writing by certified mail of the reasons for such recommendation and shall afford the agent or representative witness an opportunity to appear before the Committee on Rules, Credentials and Convention Budget at a date and time which shall be not less than ten (10) calendar days after receipt by the agent or representative witness of the written notice of the reasons for the Committee's recommendation.

5. Reports. Every registered agent or representative witness shall between the first and the tenth calendar day of each month while the Convention is in session file with the Secretary of the Convention and shall within thirty (30) calendar days after the Convention adjourns sine die file with the Secretary of State a complete and itemized cumulative statement of all receipts and disbursements, including reimbursed expenses, received or disbursed by him to promote, advocate, influence or oppose, directly or indirectly, any matter pending before or proposed to be considered by the Convention, the Committee of the Whole or any committee or subcommittee of the Convention.

An agent who has been engaged or hired for an additional purpose by the person, firm, corporation, association, political subdivision, or agency of the State of Maryland or of any political subdivision for whom he acts as agent shall report among his receipts that part of his fee, salary or other compensation reasonably allocable for the performance of his duties as agent and shall state the basis for the allocation.

The itemization of disbursements shall include at least the following: Travel and transportation, meals, lodging, entertainment in excess of Ten Dollars (\$10.00) for each item, secretarial services, printing and publication and office expenses.

6. Public Records. The registration of agents and representative witnesses with the Secretary of the Convention and the statements of receipts and disbursements filed by them with the Secretary of the Convention and the Secretary of State shall be available for public inspection. The Secretary of the Convention shall give every delegate written notice of the registration of agents and representative witnesses as promptly as possible.

7. Contingent Compensation. No person, firm, corporation, association, political subdivision or agency of the State of Maryland or of any political subdivision shall engage or hire any person to promote, advocate, influence or oppose, directly or indirectly, any matter pending before or proposed to be considered by the Convention, the Committee of the Whole, or any committee or subcommittee of the Convention for a fee, salary, or other compensation contingent in whole or in part upon the adoption or defeat of any matter or proposal, and no person shall accept any such employment or render any such service for a fee, salary, or other compensation contingent upon such adoption or defeat.

8. Exemption. The provisions of this resolution shall not be construed as affecting professional services in drafting a proposed constitutional amendment or in advising clients or in rendering opinions as to the construction and effect of any constitutional amendment which may be considered at the Convention where such professional services are not otherwise connected with constitutional convention action or services as an agent or as a representative witness.

WHICH WAS RECEIVED AND REFERRED TO THE COMMITTEE ON
CALENDAR AND AGENDA.

At 2:27 o'clock P. M., on motion of Mr. Powers, duly seconded, the Convention adjourned until Wednesday, September 20, 1967, at 2:00 o'clock P. M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Maryland
Wednesday, Sept. 20, 1967.

The Convention met at 2:00 P.M.

Invocation was offered by Rev. Charles I. Wallace of
Annapolis, Maryland.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins,
Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley,
Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer,
Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell,
Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone,
Clagett, Clarke E.J., Cleveland, Dabrowski, Darby, Della,
Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick,
Freedlander, Gallagher, Gilchrist, Gill, Grant, Groh, Grumbacher,
Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris,
Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett,
Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss,
Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer,
Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser,
Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle,
Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price,
Pullen, Raley, Robey F.C., Robie K.L., Rollins, Rosenstock,
Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow,
Sickels, Siewierski, Singer, Smith J.H., Smith M.H., Sollins,
Sosnowski, Soul, Stern, Storm, Sybert, Taylor H.E., Taylor L.,
Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White,
Willis, Willoner, Winslow.

Total - 139

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda,
reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY A VOICE VOTE.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 81 - By Delegates Scanlan and Bamberger.

A PROPOSAL that the Judiciary Article to be included in any
new Constitution be a short, concise, statement which does not
set out a detailed organization of the judicial system of the
State, nor provide the manner in which judges are to be selected.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE
ON THE JUDICIAL BRANCH.

Delegate Proposal No. 82 - By Delegate Case.

A PROPOSAL entitled General Assembly Procedures established the General Assembly as a continuing body, convening regular annual sessions on the third Wednesday of January in each year and empowers the governor to convene special sessions.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 83 - By Delegate Case.

A PROPOSAL entitled Legislators - Salaries to read:

The members of the General Assembly shall receive an annual salary and such allowances as may be prescribed by law, but such annual salary shall not be less than one-half of the annual salary of the Governor.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 84 - By Delegate Soul.

A PROPOSAL providing for the election and term of office of the Office of the Comptroller for the State of Maryland and the establishment of a Treasury Department.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 85 - By Delegate Soul.

A PROPOSAL providing for an elected Attorney General.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 86 - By Delegates Hostetter, Taylor, Beachley, and Price.

A PROPOSAL entitled Right to be Informed to read:

The people shall have the right to know how their government operates, and no law shall be enacted which shall shield the decision-making of legislative and administrative bodies from the purview of the people.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 87 - By Delegates Cicone and Johnson.

A PROPOSAL that the provisions of Article V of the Constitution dealing with the office of "Attorney General and State's Attorney" be incorporated into the Constitution.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 88 - By Delegate Scanlan.

A PROPOSAL that the Local Government Article to be included in a new Constitution be short, concise statement which, with the exception of prohibiting the Legislature from passing local legislation, would vest broad powers in the General Assembly with respect to counties, cities and other political subdivisions, including those regional in character, such power to include the right to classify as among counties, as well as among municipalities, and to deal with or provide for the relationship between cities and counties by general public law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 89 - By Delegate Boyles

A PROPOSAL that Section 8.05 be amended to include "The members of the militia when in actual service shall be entitled to compensation such as shall be enacted by general law."

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 90

Vacant.

Delegate Proposal No. 91 - By Delegates L. Taylor, Hardwicke and Mitchell.

A PROPOSAL that consideration be given to inclusion in the Declaration of Rights a provision for "Right to Life and a Decent Standard of Living".

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 92 - By Delegate Kosakowski.

A PROPOSAL that the Preamble of the Constitution shall

read as follows:

We, the People of the State of Maryland, commonly aware of individual and corporate rights, liberties, and obligations, though variously interpreting the character of their source, do herein engage to assure the preservation of this heritage for all people by declaring:

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 93 - By Delegate Groh.

A PROPOSAL entitled Right to Bear Arms establishes the right of the citizen to keep and bear arms for the lawful defense of his home, himself or the State shall not be abridged.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 94 - By Delegate Taylor.

A PROPOSAL entitled Due Process that no person shall be deprived of life, liberty or property without due process of law, or be denied the equal protection of the laws, or be subject to discrimination by law or other governmental action because of religion, race, color, national origin, sex, or economic condition.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 95 - By Delegate Byrnes.

A PROPOSAL providing for Referendum if, within ninety days a petition is filed with the office of the governor to refer the enactment to a vote of the people, it shall be submitted to a vote at the next general election. If rejected by a majority of those voting on the question, the law shall stand repealed thirty days thereafter.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 96 - By Delegate E. T. Miller.

A PROPOSAL entitled Voter Eligibility to read:

A person who has been a resident of this State less than six months next preceding an election, and is not eligible to vote by absentee ballot in his former domicile, but who is otherwise eligible to vote under this article, may vote for President

and Vice-President of the United States or presidential electors in that election.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 97 - By Delegate Hardwicke.

A PROPOSAL that the Bill of Rights shall contain a Bill of Social Rights as a separate and distinctive statement of the social rights of individuals.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 98 - By Delegate Hardwicke.

A PROPOSAL that the rights of the people of the State of Maryland include rights both justiciable and non-justiciable.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 99 - By Delegate Willis.

A PROPOSAL that defines a supplementary budget appropriation bills as found in Section 6.10, Article VI.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 100 - By Delegates Marion and Hanson.

A PROPOSAL that Article V of the Constitution dealing with the Judicial Branch provide for the creation of a Commission on Judicial Qualifications, composed of six lay persons, six lawyers, and the chief justice of the Supreme Court.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 101 - By Delegates Marion and Hanson.

A PROPOSAL that Article V of the Constitution dealing with the Judicial Branch provide for the creation of a Commission on Judicial Qualifications, composed of two lay persons, two lawyers, and five judges, with authority to make recommendations to the Supreme Court, for the removal from office of any judge.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 102 - By Delegate Anderson.

A PROPOSAL that the Constitution contain a provision restricting the power of the General Assembly to increase or decrease the compensation of a public official during his term of office.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 103 - By Delegate Weidemeyer.

A PROPOSAL that the Constitution contain a provision that limits upon the date of enforceability of such a provision the percentage of income which may be levied by the State of Maryland.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 104 - By Delegates Schneider and Siewierski.

A PROPOSAL that the General Assembly shall be reapportioned in the year 1969 and every four years thereafter.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 105 - By Delegate Mason.

A PROPOSAL entitled Eligibility for Appointment as Judge, that a judge shall be a citizen of the State and shall have been a member of the bar of the State for at least five years immediately prior to his nomination, and shall be a resident of the circuit or district where the vacancy exists.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 106 - By Delegates Byrnes, Cardin, Chabot, Hutchinson, White, D. Murray, Pascal, Schloeder, Soul, and H. Taylor.

A PROPOSAL that the right to vote shall not be abridged on account of religion, race, color, or sex.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 107 - By Delegates Grant and Gullett.

A PROPOSAL entitled Municipal Corporations provides for the creation, dissolution, merger, boundary changes, and home rule for municipalities.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

MOTIONS AND RESOLUTIONS

Resolution No. 3 - By Delegate Malkus.

A RESOLUTION concerning the budget and finance affairs of the Constitutional Convention of 1967.

WHEREAS: The members of the Constitutional Convention of 1967 have noted with interest and some regret stories in the public press which indicate that the budget and financial affairs of the Constitutional Convention are inadequate for carrying out the work and program of the Constitutional Convention.

The people of Maryland, acting through their General Assembly, already have provided nearly \$3,000,000 for the expenses of providing a new Constitution.

* * *

BE IT RESOLVED BY THE CONSTITUTIONAL CONVENTION OF 1967, that the President of the Convention and officials in the Budget Bureau and in the State Comptroller's office are requested to provide periodic reports to the members of the Convention, not less frequently than once every fifteen days, showing, by classes, the expenditures and commitments of the Constitutional Convention and the balances from time to time remaining unspent and unencumbered; and

BE IT FURTHER RESOLVED, that it is the sense of the members of this Convention that no part of any appropriation made to this Convention from public funds of the State of Maryland should be utilized in any fashion for financing a campaign either for or against the Constitution and designed to influence the voters of Maryland in the referendum to be held on this Constitution.

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND THE CONVENTION BUDGET.

At 2:47 P.M., on motion of Mr. Powers, duly seconded, the Convention adjourned until Thursday, September 21, 1967, at 2:00 P.M. in honor of Delegate and Mrs. Eckenrode who have been married twenty-five years today.

CONSTITUTIONAL CONVENTION OF MARYLAND

JOURNAL OF PROCEEDINGS

Annapolis, Maryland
Thursday, Sept. 21, 1967

The Convention met at 2:00 P.M.

Invocation was offered by Rev. Nelson F. Veise.

Present at roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E.J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Robie K.L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H.E., Taylor L., Ulrich, Vecera, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

Total - 136

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

With permission of the Convention delegates the president announced that the report of other standing committees would be taken up after the introduction and first reading of proposals because the report of the Committee on Rules had not been circulated.

INTRODUCTION AND FIRST READING
AND REFERENCE OF PROPOSALS

Delegate Proposal No. 108 -- By Delegate Fox.

A PROPOSAL entitled "Lottery". Prohibiting State, local or private corporation lotteries.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 109 -- By Delegate Johnson

A PROPOSAL that the provisions of Article III, Section 13 of the present Constitution concerning vacancy in office of a Senator or Delegate be incorporated in the new Constitution.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 110 -- By Delegate Chabot

A PROPOSAL for Article III, Legislative Branch, including Legislative powers; Redistricting; legislator qualification; and procedure for bills.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 111 -- By Delegates Sollins, Bard, Boyles, Caldwell, Dulany, Freedlander, Grumbacher, Hargrove, Hopkins, Kiefer, Leitzel, Lord, Marion, Needle, Neilson, Pullen, Schloeder, Schneider, Siewerski, Singer, Sosnowski, Ulrich, Wagandt.

A PROPOSAL that Article 7, Local Government, provide that any instrument of government adopted by any county contain mandatory provisions that the county shall be divided by law into districts for the election of members of that branch of the county government exercising legislative power; that one legislative member be elected from each district; that each legislative member be elected by the qualified voters of the district from which he seeks election; that each district consist of compact and adjoining territory; and that all districts within a county be as nearly equal in population as practicable.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 112 -- By Delegate M. I. Anderson

A PROPOSAL that the Constitution contain a provision providing that the Legislative, Executive and Judicial powers of Government be separate and distinct from each other.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 113 -- By Delegate Werner Fornos.

A PROPOSAL that no County or parts of a County shall be included in a regional government without the expressed consent of the majority of the voters of the County or Counties to be included.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 114 -- By Delegate Werner Fornos.

A PROPOSAL that all appointments to boards or offices whose functions are limited to the confines of a specific county be made in accordance with the wishes of the citizens of that county.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 115 -- By Delegate Werner Fornos.

A PROPOSAL that the word "District" be struck from the proposal on the judiciary and the word "Peoples" be substituted in the Judicial Article and that the Peoples Court shall have the original jurisdiction prescribed by law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 116 -- By Delegate Werner Fornos.

A PROPOSAL to require that the Chief Executive shall also submit to the General Assembly at the time he submits his executive budget, a long range plan for financing the operations of the State Government for the ensuing 5 years.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 117 -- By Delegate Bennett.

A PROPOSAL that the governor shall have the power to remit fines and forfeitures for offenses against the State and shall have the power to grant reprieves and pardons, except in cases of conviction upon impeachment.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 118 -- By Delegate Werner Fornos.

A PROPOSAL that Section 4.02 of the draft constitution include a provision making the Lieutenant Governor also the President of the Senate.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 119 -- By Delegate Werner Fornos.

A PROPOSAL to make provisions prohibiting taking of private property for public use without just compensation, to include notice to owner and public hearing at the planning stage.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 120 -- By Delegate Werner Fornos.

A PROPOSAL to provide that public office is a public trust bestowed by the people in reliance upon character and integrity of individuals chosen, with the people having the right to require of those vested with authority, exact observance of duties, strict adherence to standards of ethics, and to make it the duty of the legislature to adopt legislation to effectuate such rights.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 121 -- By Delegate Beatrice Miller.

A PROPOSAL generally setting forth the policy of the State regarding economic rights.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Scanlan, Chairman of the Committee on Rules, Credentials and Convention Budget Committee gave the:

THIRD REPORT OF THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET

The Committee on Rules, Credentials and Convention Budget recommends that the rules which the Convention adopted on July 11, 1967, be amended by adopting the following new chapter.

CHAPTER IX

COMPENSATION OF DELEGATES

Rule 70 A. Expense Allowance. An expense allowance of twenty-five dollars (\$25.00) per day shall be allowed to each delegate for each working day in attendance at the Convention on or after September 12, 1967. For purposes of this allowance, a delegate shall be considered to be in attendance at a working day of the Convention if present at any session of the Convention or any meeting of any authorized Committee or Sub-Committee of the Convention on that day.

Rule 70 B. Salary. A flat salary of two thousand dollars (\$2000.00) shall be allowed to each delegate to the Convention with a deduction of fifteen dollars (\$15.00) for each day of unexcused absence from sessions of the Convention or meeting of authorized Committees or Sub-Committees thereof. For the purpose of this deduction, a delegate shall not be considered to have incurred an unexcused absence on any day that the delegate is in attendance at any session of the Convention or meeting of any authorized Committee or Sub-Committee thereof.

Rule 70 C. Excused Absences. A delegate shall be excused by the President from attendance at sessions of the Convention or meetings of any authorized Committee or Sub-Committee thereof due to illness, death in the immediate family or other reason beyond the control of the delegate and the excused absence shall be entered upon the minutes.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON CALENDAR AND AGENDA.

At 2:35 o'clock P.M., on motion of Mr. Powers, duly seconded. The Convention adjourned until Friday, September 22, 1967 at 2:00 P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Friday, Sept. 22, 1967

The Convention met at 2:00 o'clock P.M.

Invocation was offered by Rabbi Morris Rosenblatt of Annapolis, Md.

Present at roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E.J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller, Miller E.T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Robey F.C., Robie K.L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Webster, Weidemeyer, Wheatley, White, Willoner, Winslow.

Total--139

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY A VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Scanlan, Chairman of the Committee on Rules, Credentials and Convention Budget reported:

FOURTH REPORT OF

THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET

The Committee on Rules, Credentials and Convention Budget has considered the problem of how to fill vacancies occurring in the convention due to the death or resignation of a delegate. The committee recommends that the following rule be adopted.

RULE 71

71 (a) Upon the announcement to the Convention of the death or resignation of a delegate of the Convention, the President shall, at the next session day following such announcement, appoint a Select Committee, as hereinafter set forth, to report to the Convention the names of not less than two nor more than five qualified persons to fill such vacancy, along with a concise written statement of the abilities and experience of each of the persons whose names are so reported.

71 (b) On the third session day after the report to the Convention of the Select Committee shall have been received, an election shall be held to select from among the persons whose names were submitted by the Select Committee, a person to fill the vacancy so created by the death or resignation of a delegate. The person receiving a majority of the votes cast shall be declared elected. If no person shall receive a majority of the votes cast, a second election shall be held at the same session day between the two persons receiving the highest number of votes in the first election, and the person receiving the majority of the votes cast at the second election shall be declared elected.

71 (c) The Select Committee shall consist of not less than three persons and shall include all the remaining delegates of the county or legislative district of the delegate whose death or resignation created the vacancy in the Convention. If the number of the remaining delegates from the county or legislative district of the delegate whose death or resignation created the vacancy in the Convention is less than three, the President shall appoint additional delegates to the Select Committee from adjacent counties or legislative districts until the Select Committee shall consist of three members, but not more than two of the members so appointed shall be from the same county or legislative district.

71 (d) In the event the Select Committee shall fail to report to the Convention on or before ten session days after the appointment of the Select Committee, the names of persons qualified to fill such vacancy may be proposed from the floor. The names of the persons so proposed shall be referred to the Committee on Rules, Credentials and Convention Budget. When the names of two or more persons who shall have been so proposed and upon report by the Committee on Rules, Credentials and Convention Budget confirming that at least two of the persons whose names were so proposed are qualified to fill the vacancy in the Convention, an election shall be held in the same manner as hereinbefore set forth, to select one of the persons so proposed to fill the vacancy.

THE REPORT WAS RECEIVED AND REFERRED TO THE COMMITTEE ON CALENDAR AND AGENDA.

Mr. Scanlan, Chairman of the Committee on Rules, Credentials and Convention Budget reported on the Second Report of the Committee on Rules, Credentials and Convention Budget, received on September 19 and referred to the Committee on Calendar and Agenda.

With permission of the Convention the following two amendments were considered to the second report of the Committee on Rules, Credentials and Convention Budget.

Amendment No. 1-- By Delegate Scanlan

The word "Resolution" as it appears throughout the Second Report of the Committee on Rules, Credentials and Budget be changed to read: "Regulation."

WHICH AMENDMENT WAS READ AND ADOPTED BY VOICE VOTE.

Amendment No. 2-- By Delegate Scanlan

the eighth line and the first three words of the ninth line of paragraph seven of the proposed resolution be deleted and substitute the words: "that is determined in whole or in part with reference to the result accomplished" and that the last line of paragraph seven be deleted and that there be substituted therefor: "that is determined in whole or in part with reference to the result accomplished."

WHICH AMENDMENT WAS READ AND ADOPTED BY VOICE VOTE.

THE SECOND REPORT OF THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET WAS THEN READ AND ADOPTED AS AMENDED.

Delegate Scanlan, duly seconded, moved that the regulation set forth in the Second Report of the Rules, Credentials and Budget Committee, as adopted by the Convention, be printed as an Appendix of the Rules of the Convention when the same are published or distributed, and that the Secretary of the Convention take all reasonable steps to circulate the regulation to those who may be affected by it.

SAID MOTION PREVAILED BY YEAS AND NAYS.

INTRODUCTION AND FIRST READING
AND REFERENCE OF PROPOSALS

Delegate Proposal No. 122-- By Delegates Bard and James

A PROPOSAL that those sections of the Constitution that deal with higher education, should include broad concepts necessary to provide public higher educational institutions desirable for the intellectual, cultural, and occupational development of the people and that the Constitution should not freeze or formalize any specific administrative procedure, practice or arrangement with respect to higher education.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 123-- By Delegate Bard

"The School Fund of the State shall be kept inviolate, and appropriated only to the purposes of Education."

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 124-- By Delegates Rush, Caldwell, and Hickman

A PROPOSAL entitled Eminent Domain, that private property shall not be taken for public use without just compensation.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 125-- By Delegates Fox and Fornos

A PROPOSAL that the members of the General Assembly shall receive an annual salary and such allowances as may be prescribed by law and that the amount of such annual salary shall be initially stated in the Constitution and shall provide that any changes in the salary made thereafter by the Legislature shall not take effect until after the next election of the members of the General Assembly of Maryland.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 126-- By Delegate Eckenrode

A PROPOSAL that the General Assembly may provide by law for the establishment, incorporation, change, merger, dissolution and alteration of boundaries of counties and multi-county governmental units, including intergovernmental authorities and popularly elected regional representative governments, but excluding municipal corporations upon mandatory referendum.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 127-- By Delegate Marion

A PROPOSAL that no judgeship shall be created except upon certification of need by the chief justice of the Supreme Court.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 128-- By Delegates Jett, Kirkland and Sosnowski

A PROPOSAL to elect the State Board of Education for the free public schools.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 129-- By Delegate Kahl

A PROPOSAL that a primary election shall be held on the Tuesday following the first Monday in the May preceding a General Election held in November.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 130-- By Delegates Weidemeyer, Kosakowski, Murray, Hostetter, and Burgess

A PROPOSAL that the Bill of Rights of the Constitution shall prohibit the suspension of the writ of habeas corpus.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 131-- By Delegates Weidemeyer, Murray, Burgess, and Hostetter

A PROPOSAL that the Bill of Rights of the Constitution contain a provision concerning the right to bear arms with limitations.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 132-- By Delegates Weidemeyer, Kosakowski, Murray, Hostetter, and Burgess

A PROPOSAL that no man shall be twice put in jeopardy of criminal punishment for the same offense.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 133-- By Delegates Weidemeyer, Kosakowski, Murray, Hostetter, and Burgess

A PROPOSAL that no person except regular soldiers, marines, and mariners in the service of this State, or Militia, when in actual service, and persons engaged in riot, insurrection or rebellion after Declaration of Martial Law by the governor, ought, in any case, to be subject to, or punishable by Martial Law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 134-- By Delegates Weidemeyer, Kosakowski, Hostetter, Murray, and Burgess

A PROPOSAL that neither the increment nor the loss upon capital assets shall be included in the calculation of income taxes by the State or any of its political subdivisions.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 135-- By Delegates Weidemeyer, Kosakowski, Hostetter, Murray, and Burgess

A PROPOSAL that no person shall be held to answer for a capital or otherwise infamous crime unless on presentment or indictment of a Grand

Jury, except in cases arising in the land or naval forces, or in the Militia when in actual service in time of wars or public danger.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 136-- By Delegates Weidemeyer, Kosakowski, Murray, Hostetter, and Burgess

A PROPOSAL restricting the right of eminent domain.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 137-- By Delegates Price, Weidemeyer, Kosakowski, Anderson, Hostetter, and Childs

A PROPOSAL that upon taking an oath administered by the State the person shall have the right to elect to demonstrate his belief in a Supreme Being.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 138-- By Delegates J. Clark and James

A PROPOSAL that the legislative power of the State shall be vested in the General Assembly, which shall consist of two houses, the Senate containing 40 members and the House of Delegates containing 80 members.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 139-- By Delegates Peters and Scanlan

A PROPOSAL that the members of the General Assembly shall receive such salary and allowances as may be prescribed by law, except that the minimum salary, exclusive of allowances, of the members shall be no less than \$7,500 per annum.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

MOTIONS AND RESOLUTIONS

Resolution No. 4-- By Delegate Hickman

Resolved by the Constitutional Convention that beginning Friday, September 29, 1967, each delegate proposal and substantive committee recommendation regarding a fiscal program be accompanied with a memorandum setting forth the monetary budget required by the fiscal program, and, if a similar program now exists, a comparative cost study of the proposed program with the program now in existence.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND BUDGET.

ADJOURNMENT

At 3:21 o'clock P.M., on motion of Mr. Powers, duly seconded, the convention adjourned until Monday, September 25, 1967, at 4:00 P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Monday, Sept 25, 1967

The Convention met at 4:00 o'clock P.M.

Invocation was offered by Rev. Thomas T. Stewart.

Present at the roll call were the following delegates:

President, Tawes, Clark J., Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Raley, Robey F. C., Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L, Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

Total 137

It was ordered that Mr. James be excused from today's session on account of important Convention business.

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Scanlan, Chairman of the Committee on Rules, Credentials and Convention Budget reported on the Third Report of the Committee on Rules, Credentials and Convention Budget read before the Convention September 21, 1967.

On motion of Delegate Scanlan, duly seconded, this Third Report of the Committee on Rules, Credentials and Convention Budget was adopted.

Mr. Scanlan, Chairman of the Committee on Rules, Credentials and Convention Budget, reported on the Fifth Report of the Committee on Rules, Credentials and Convention Budget.

AMENDMENT TO RULE 22

Proposed that Rule 22 be amended by adding to the eleven (11) standing committees created by that Rule, the following:

"12. Committee on Public Information"

* * *

The purposes of the Committee on Public Information will be to develop and to coordinate a program of public information both during and after the Convention to insure public understanding of the efforts of the Convention as directed by Chapter 4 of the Acts of the General Assembly of 1967, House Bill No. 28, Section 14. It will in no sense be an administrative committee concerning itself with the details of staff operations on a day-to-day basis. Rather, the Committee's basic function would be to recommend policy regarding the Convention's responsibility in informing, educating and explaining the work of the Convention and its results to the public.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 140 -- By Delegate Finch.

A PROPOSAL entitled Voting Qualifications to reduce the voting age from 21 years to 18 years on a graduated scale of one year reduction age every four years starting in 1968.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 141 -- By Delegate Finch.

A PROPOSAL that military personnel stationed at military posts in the state, be able to vote by reason of their residence on a military reservation.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 142 -- By Delegate Finch.

A PROPOSAL that Sections 2.01 and 2.07 be clarified to indicate that military personnel stationed at military reservations in the State be able to vote in National, State and local elections.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 143 -- By Delegate Finch.

A PROPOSAL that primary and general election days be paid holidays for all working personnel.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 144 -- By Delegate Finch.

A PROPOSAL that the Constitution have a provision covering absentee voting by military personnel absent from the State by virtue of military orders.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 145 -- By Delegate Finch.

A PROPOSAL granting the Governor power to grant pardons and reprieves, provided that all materials and information leading to the granting of said pardons and reprieves are made available to the public for review.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 146 -- By Delegate Finch.

A PROPOSAL that the Comptroller have a professional background, including that of being either a lawyer or certified public accountant.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 147 -- By Delegate Finch.

A PROPOSAL creating law and finance branches of government, with the heads elected as Attorney General and Comptroller for four years.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 148 -- By Delegate Finch.

A PROPOSAL limiting the size of the General Assembly to one senator and two delegates from each legislative (house) district of the State, with the number of districts being limited to fifty.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 149 -- By Delegate Finch.

A PROPOSAL that there is no limitation on the amount of ground that can be owned by an eleemosynary institution of higher learning.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 150 -- By Delegate Finch.

A PROPOSAL that the University of Maryland, State Colleges, junior colleges, and other institutions of higher learning be under the management of a single board of regents who shall have exclusive general supervision, control and direction of all expenditures for education.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 151 -- By Delegate Finch.

A PROPOSAL that proper safeguards against taking of property by eminent domain for public purposes in order to protect private property rights be established.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 152 -- By Delegate Lord.

A PROPOSAL that every person shall have the right of trial by jury of issues of fact in civil proceedings at law in the courts of this State in which the amount or value in controversy exceeds \$2500.00 or such higher amount or value as may be established from time to time by law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 153 -- By Delegate Finch.

A PROPOSAL requiring annual external audits by independent firms of certified public accountants of the finances of the legislative, judicial and executive branches of government, including all departments, agencies and instrumentalities.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 154 -- By Delegate Chabot.

PROPOSES Article II, Suffrage and Elections, including voter qualifications, elections and referendum procedures.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 155 -- By Delegates Johnson, Kahl, Harkness, Murphy, Siewierski, Rush, Hickman.

A PROPOSAL that judges in the State be appointed by the Governor with the advice and consent of the State Senate.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 156 -- By Delegates Johnson, Harkness, Murphy, Siewierski, Hickman.

A PROPOSAL that judges in the State be appointed by the Governor from a list submitted by a "nominating commission". The Nominating Commission to be established by law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 157 -- By Delegates Johnson, Kahl, Harkness, Murphy, Siewierski, Rush.

A PROPOSAL that judges in the State be appointed, without restrictions, by the Governor.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 158 -- By Delegate Beatrice Miller.

PROPOSES the right of all persons to adequate protection from economic deprivation as prescribed by law is hereby established.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 159 -- By Delegates Murphy and Vecera.

A PROPOSAL to give all pensioners regardless of age and including those on disability pensions with income of less than \$5000.00 per year a reduced rate on their real estate taxes.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 160 -- By Delegates Murphy and Vecera.

A PROPOSAL to set a special lower income tax rate for all pensioners including those on disability pensions who are under 65 years of age and have income of less than \$5000.00 per year.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 161 -- By Delegate Anderson.

A PROPOSAL that no person shall hold, at the same time, more than one office of profit, created by the Constitution, or Laws of this State; nor shall any person in public trust receive any present from any Foreign Prince or State, or from the United States, or any of them without the approbation of this State. The position of Notary Public shall not be considered an office of profit within the meaning of this Article.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

ANNOUNCEMENTS

President Eney announced the assignment of provisions of the present Constitution to committees and delegates for review.

A summary of the assignments by committees is attached.

COMMITTEE ON LOCAL GOVERNMENT

Article III, Section 33

Article III, Section 61

Article IV, Section 44 (Attention called; assigned to the
Committee on Judicial Branch)

Article VII, Sections 1 and 2

Articles XI, XI-A, XI-B, XI-C, XI-D, XI-E, XI-F

Article XIII

COMMITTEE ON THE EXECUTIVE BRANCH

Declaration of Rights, Article 34

Article II, Section 1

Article II, Sections 9 through 14

Article II, Section 15 (second clause)

Article II, Sections 16 through 23

Article IV, Section 44 (attention called; assigned to Committee
on Judicial Branch)

Article IV, Section 45 (Notaries)

Article V

Article VI

Article VII, Sections 3 through 5

Article XII

Article XV, Section 1

COMMITTEE ON GENERAL PROVISIONS

Declaration of Rights, Articles 28 through 32

Declaration of Rights, Article 43 (first sentence)

Article I, Sections 6 and 7

Article II, Section 8

Article II, Section 15 (first clause)

Article III, Section 26

Article IV, Section 13

Article VIII and IX

Article XIV

Article XV, Section 2

Article XV, Sections 10 and 11

"Vote on the Constitution"

COMMITTEE ON THE JUDICIAL BRANCH

Declaration of Rights, Article 33

Article III, Section 35 (attention called; assigned to Committee
on Executive Branch)

Article IV, Sections 1 through 10

Article IV, Sections 13-A through 44

Article IV, Section 45 (Coroners and Elisors)

Article V (attention called; assigned to Committee on Finance
and Taxation)

COMMITTEE ON STATE FINANCE AND TAXATION

Declaration of Rights, Articles 14 and 15

Declaration of Rights, Article 43 (second sentence)

Article III, Sections 34 through 37

Article III, Sections 45 and 46

Article III, Sections 51 and 52

Article III, Section 54

Article III, Section 58

Article XV, Section 1 (attention called; assigned to Committee
on Executive Branch)

COMMITTEE ON THE LEGISLATIVE BRANCH

Declaration of Rights, Article 10 (attention called to second clause;
assigned to Committee on Personal
Rights)

Declaration of Rights, Articles 11 and 12

Article III, Sections 1 through 6

Article III, Sections 9 through 25

Article III, Sections 27 through 32

Article III, Section 33 (attention called; assigned to Committee
on Local Government)

Article III, Section 39

Article III, Sections 43 and 44

Article III, Section 48

Article III, Section 50

Article III, Sections 56 and 57

Article III, Sections 59 and 60

Article XV, Section 15 (attention called; assigned to Committee
on Executive Branch)

COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE

Preamble

Declaration of Rights, Articles I. through 10

Declaration of Rights, Article 13

Declaration of Rights, Articles 16 through 27

Declaration of Rights, Articles 35 through 42

Declaration of Rights, Articles 44 and 45

Article III, Section 38

Article III, Sections 40 and 41

Article III, Section 53

Article III, Section 55

Article XV, Sections 5 and 6

COMMITTEE ON SUFFRAGE AND ELECTIONS

Article I, Sections I through 5

Article II, Sections 2 through 4

Article III, Section 7

Article III, Section 42

Article III, Section 47

Article III, Section 49

Article IV, Sections 11 and 12

Article XV, Section 4

Article XV, Sections 7 and 9

Article XVI

Article XVII

At 5:12 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Tuesday, September 26, 1967, at 2:00 o'clock P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Tuesday, Sept 26, 1967

The Convention met at 2:00 o'clock P.M.

Invocation was offered by Rev. Truman D. Nabors, Jr.,
of Ellicott City, Maryland.

Present at the roll call were the following delegates:

President, Clark J., Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Grant, Groh, Grumbacher, Gullett, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller, E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Robey F. C., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

Total 135

It was ordered that Mr. James be excused from today's session on account of important Convention business.

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

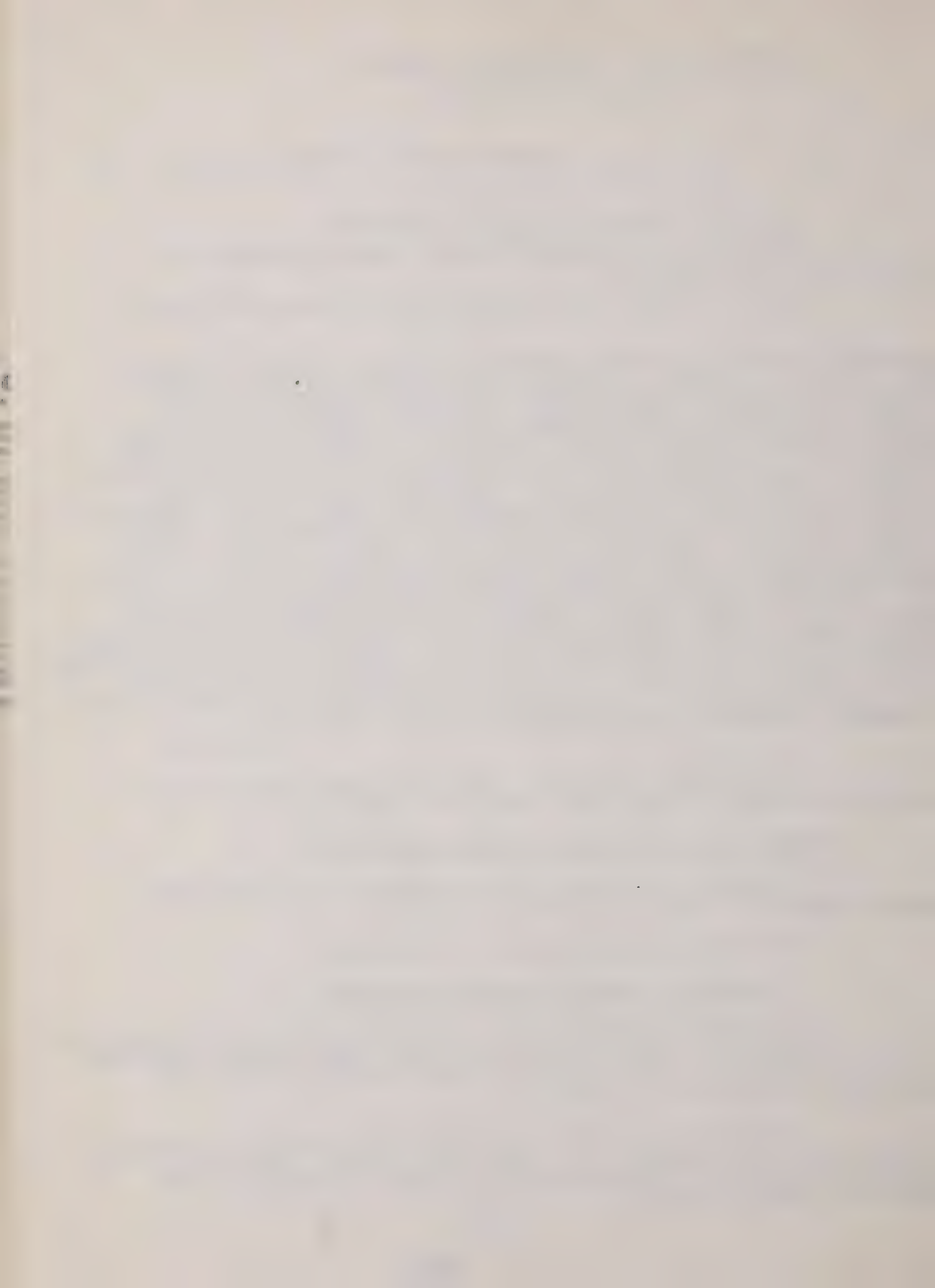
Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Scanlan, Chairman of the Committee on Rules, Credentials and Convention Budget, reported on the Fourth Report of the Committee on Rules, Credentials and Convention Budget reported before the Convention on September 22, 1967.

CONSIDERED ON SECOND READING AND UPON MOTION OF DELEGATE SCANLAN THE FOURTH REPORT OF THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET WAS RECOMMITTED TO THE RULES, CREDENTIALS AND CONVENTION BUDGET COMMITTEE.



INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 162 -- By Delegate Boileau.

A PROPOSAL that an equal number of Senators shall represent each Senatorial district and that one delegate shall represent each House district.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 163 -- By Delegate Gleason.

A PROPOSAL concerning the Legislative Branch which establishes bicameralism; limits of 40 Senators elected for six years; 120 Representatives elected for four years.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 164 -- By Delegates Vecera and Murphy.

A PROPOSAL that no law defeating the effect of a referendum shall be introduced or passed by the General Assembly within two (2) years of the effective date of such referendum.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 165 -- By Delegate Boyles.

A PROPOSAL that the office of Cost Accountant be established to investigate all state operation with regard to efficient management. The Head of this office should be appointed by the Governor with the consent of the Senate.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 166 -- By Delegates Needle, Neumann, and Barrick.

A PROPOSAL that unresolvable conflicts between units of local government shall be resolved by the Legislature or by a commission, board, agency or like authority on local government as provided by law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 167 -- By Delegates Vecera and Murphy.

A PROPOSAL that the effective date of a law passed by the General Assembly shall be on the first day of July next after the Legislative Session at which it may be passed, unless it be otherwise expressly stated therein.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 168 -- By Delegates Vecera and Murphy.

A PROPOSAL that the Governor shall nominate a person to fill a vacancy arising in the office of the Lieutenant Governor, which nominee shall take office upon confirmation by a majority vote of both Houses of the General Assembly.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 169 -- By Delegate Bennett.

A PROPOSAL that Section 5.21 of the Judicial Article shall read as follows: "At the next general election following the expiration of two years from the date of appointment, and every ten years thereafter so long as he retains his office, each judge shall be subject to approval or rejection by the electorate. In the event of the rejection of a judge by the electorate, the office shall be vacant.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 170 -- By Delegates Bennett and Beachley.

A PROPOSAL to provide for the establishment of a system of independent Juvenile Courts, define their jurisdiction and procedure, prescribe a method for the selection of Juvenile Court Judges, and their tenure.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 171 -- By Delegate Lloyd Taylor.

A PROPOSAL that the Bill of Rights establish Right to Work provisions including right to collective bargaining and right to share equitably in the profits of a company.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 172 -- By Delegate Lloyd Taylor.

A PROPOSAL that the State shall not violate the basic rights of all employees as free men in both private and public systems of employment. The determination of whether or not the general public health and welfare have been endangered by the exercise of these rights, necessitating a restraint order, shall be made by an impartial public commission, composed of a majority of lay citizens, union, and public officials through a method prescribed by law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 173 -- By Delegate Willoner.

A PROPOSAL that every person shall have the right of trial by jury of issues of fact in civil proceedings at law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 174 -- By Delegate Willoner.

A PROPOSAL that the right of the people to travel within or without the State of Maryland shall not be violated and no unreasonable limitations of the right to travel shall be permitted.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 175 -- By Delegate Willoner.

A PROPOSAL that the right of the people to be free from invasion of privacy shall not be violated and no unreasonable limitations of the right of privacy shall be permitted.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 176 -- By Delegate Willoner.

A PROPOSAL establishing the rights of the accused including the right to be informed of the charge against him, to have the assistance of counsel in his defense, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses and to have a speedy and public trial before an impartial jury,

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 177 -- By Delegate Sickles.

A PROPOSAL that unless otherwise provided by law, a general election shall be held on the Tuesday following the first Monday in November.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 178 -- By Delegate Finch.

A PROPOSAL that the State can be sued in a manner similar to suits filed against the Federal Government in the United States Court of Claims.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 179 -- By Delegate Finch.

A PROPOSAL that innocent victims of a crime shall be compensated by the State for their losses incurred by reason of such crime.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 180 -- By Delegate Vecera and Murphy.

A PROPOSAL that All executive and judicial officers, members of the General Assembly, and State shall be bound by oath or affirmation to support the Constitution of the State.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 181 -- By Delegate Macdonald.

A PROPOSAL that the Article on Local Government shall provide that beginning in the year 1970 and every ten years thereafter, the electorate of each municipality, at a duly held election, shall be given the opportunity to determine whether such municipality shall continue in existence.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 182 -- By Delegate Cardin.

A PROPOSAL that no law enacted by the General Assembly shall take effect before sixty (60) days shall have passed between the time the bill becomes law and the effective date of such law as prescribed by the legislature. Upon proper petition, the said law shall be submitted to a vote at the next election (general). Should such petition be filed within the sixty day period, the effective date of said law shall not be sooner than thirty days after its approval by a majority of those voting on the question in the election.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 183 -- By Delegate James.

A PROPOSAL entitled Higher Education that the governing boards for state institutions of higher learning shall formulate policies for their respective institutions and shall have general supervision in all academic matters. They shall by law be granted such additional powers of supervision, direction and control of their respective institutions and the expenditure of the funds as may be consistent with their status as public agencies.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 184 -- By Delegate Finch.

A PROPOSAL that gives the Governor the power to grant an immediate release of an innocent person imprisoned based on perjured or fraudulently obtained testimony of a witness or witnesses.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 185 -- By Delegate Finch.

A PROPOSAL entitled Due Process that no person shall be deprived of life, liberty or property without due process of law, or be denied the equal protection of the laws, or be subject to discrimination by law or other governmental action because of religion, race, color or natural origin.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 186 -- By Delegates Vecera, Blair, Murphy, Siewierski, and Baumann.

A PROPOSAL that the State shall provide such aid to private educational facilities as prescribed by the General Assembly.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 187 -- By Delegate Wheatley.

A PROPOSAL that the General Assembly shall develop and enact a budget for the ensuing fiscal year. The budget shall show the estimated surplus or deficit of revenues and shall contain an estimate of revenues, a complete plan of proposed expenditures. The total of the proposed expenditures shall be limited to funds available as shown in the budget.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 188 -- By Delegate Finch.

A PROPOSAL that the Governor shall have the power to determine and to pay reasonable and just compensation as determined by law to innocent persons who have been imprisoned.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 189 -- By Delegate Finch.

A PROPOSAL that the Constitution contain a general provision providing for an "intrastate commerce" clause, similar to the "interstate commerce" clause of the United States Constitution, for harmonious control of intrastate commerce with interstate commerce.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 190 -- By Delegate Finch.

A PROPOSAL that the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures and in their oral or other communications against unreasonable interceptions shall not be violated.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 191 -- By Delegate Finch.

A PROPOSAL for reimbursement of defense funds expended by a person indicted by the State and found innocent at the end of his trial.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 192 -- By Delegate Finch.

A PROPOSAL that the State issue registered trademarks, service marks, and collective marks in a manner similar to that provided by the interstate commerce clause of the United States Constitution, and pertinent federal and state statutes, in order to promote and protect business enterprises.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 193 -- By Delegate Finch.

A PROPOSAL that any person indicted by the State and later found innocent have all of his defense expenses reimbursed by the State, including reasonable and just compensation for monies lost during such incarceration.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

MOTIONS AND RESOLUTIONS

Resolution No. 5-- By Delegate Malkus.

RESOLUTION concerning the pictorial presentation, "A Mighty Oak".

WHEREAS:

There recently has been released for public viewing a pictorial presentation on the subject of constitutional conventions in Maryland.

* * *

BE IT RESOLVED BY THE CONSTITUTIONAL CONVENTION OF 1967 that the President of the Convention is requested at an early date to provide an opportunity in or adjacent to the State House for members of the Constitution Convention to view the film, "A Mighty Oak"; and

BE IT FURTHER RESOLVED, that at that time, if not before, the President of the Constitution Convention is requested to secure a complete transcript of the running commentary used for this film and to have this transcript duplicated in a sufficient number of copies so that each member of the Constitution Convention and of the public press might have the entire spoken commentary available in written form.

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

Resolution No. 6-- By Delegate Sickles.

RESOLUTION concerning the ratification and effective dates of the proposed constitution.

* * *

RESOLVED BY THE CONSTITUTIONAL CONVENTION that in the best interest of the People of the State of Maryland, the General Assembly be requested to amend the aforementioned date of May 14, 1967, as the date for the special referendum election, to the first Tuesday in November, 1968.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

At 2:38 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Wednesday, September 27, 1967, at 2:00 o'clock P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Maryland
Wednesday, Sept. 27, 1967.

The Convention met at 2:00 P.M.

Invocation was offered by Reverend Forrest C. Stith of
Baltimore, Maryland

Present at roll call were the following delegates:

President, Tawes, Clark J., Abramson, Adkins, Anderson,
Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall,
Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Bradshaw,
Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell,
Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke
E.J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes,
Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander,
Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher,
Gullett, Hardwicke, Hargrove, Harkness, Harris, Henderson,
Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl,
Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel,
Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer,
Mentzer, Miller B., Miller E.T., Mitchell, Morgan, Moser,
Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle,
Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price,
Pullen, Raley, Robey F.C., Rollins, Rosenstock, Rush,
Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles,
Siewierski, Singer, Smith J.H., Smith M.H., Sollins,
Sosnowski, Soul, Stern, Storm, Sybert, Taylor L., Ulrich,
Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis,
Willoner, Winslow. Total--135

It was ordered that Delegate James be excused from today's
session on account of important Convention business.

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda,
reported the daily calendar and agenda. With permission of the
Convention, Item 5a "Reports of Standing Committees", was taken
off of the calendar for today's session.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 194 - By Delegate Finch.

A PROPOSAL that there be no limitation on the amount of tax-exempt land owned by an eleemosynary institution of higher learning.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 195 - By Delegate Finch.

A PROPOSAL that legislators, executive officers and judiciary members are trustees of the public; and that the people have a right to rebel and reform, or establish a new government.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 196 - By Delegate Finch.

A PROPOSAL that there be no discrimination based on sex.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 197 - By Delegate Anderson.

A PROPOSAL entitled Eminent Domain that the General Assembly shall enact no law authorizing private property to be taken, damaged or injured for public use without just compensation, except that where such property is unimproved and in the judgment of the State Roads Commission is needed by the State for highway purposes. The power of eminent domain shall not be exercised by the State without the owner or owners of any property to be acquired being given reasonable notice.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 198 - By Delegate Groh.

A PROPOSAL that the legal age of majority in Maryland for both sexes be standardized at one year under the age established for the exercise of the right of suffrage.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 199 - By Delegates Bard, Hopkins and Gilchrist.

A PROPOSAL that it shall be the policy of the State to conserve and protect for the use and enjoyment of its people, its natural resources and scenic beauty and properties which have historical significance.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 200 - By Delegates Wagandt and Winslow

A PROPOSAL that legislative districts shall consist of compact and contiguous territory and be so nearly equal in population that the district with the largest population shall not exceed the district with the smallest population by more than ten per cent.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 201 - By Delegate Wheatley.

A PROPOSAL entitled Eligible Voters reduces voting age to eighteen with one year residency requirement.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 202 - By Delegates Wheatley, Kirkland, Caldwell, Blair, Sosnowski, Jett, and Vecera.

A PROPOSAL that the General Assembly shall provide for a local board of education in each of the sub-divisions of the state and it shall be the local agency responsible for implementing the public education system required by this Constitution. Each subdivision shall be permitted to determine through referendum that its board of education be appointed by the Governor or elected by the qualified electorate.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 203 - By Delegates Case and Darby.

A PROPOSAL that no child attending an accredited primary or secondary school shall be denied the use of available transportation facilities supplied by the Boards of Education.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

The first part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present. The author then goes on to discuss the various factors which have shaped the development of the United States, including the influence of the British, the Spanish, and the French. He also discusses the role of the American people in the creation of the new nation. The paper concludes by stating that the study of the history of the United States is a task of great importance, and that it is one which should be undertaken by all who are interested in the future of the country.

The second part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present. The author then goes on to discuss the various factors which have shaped the development of the United States, including the influence of the British, the Spanish, and the French. He also discusses the role of the American people in the creation of the new nation. The paper concludes by stating that the study of the history of the United States is a task of great importance, and that it is one which should be undertaken by all who are interested in the future of the country.

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Delegate Proposal No. 204 - By Delegate Finch.

A PROPOSAL that the power to grant reprieves and pardons, and to remit fines and forfeitures, for offenses against the State be placed in a committee composed of the Governor, the President of the Senate, and the Chief Judge of the Supreme Court.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 205 - By Delegate Finch

A PROPOSAL guaranteeing the citizens of the State the right of "Freedom of Mobility".

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 206 - By Delegate Finch

A PROPOSAL that the right to vote in national, state and local elections shall be enjoyed by all persons, duly qualified according to law, including all military or naval personnel who reside on land in Maryland over which the United States exercises exclusive jurisdiction .

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 207 - By Delegate Mitchell.

A PROPOSAL entitled The Right to Vote to read:

The right to vote shall not be abridged on account of religion, race, color, sex, or economic circumstance.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 208 - By Delegate Finch.

A PROPOSAL that the Constitution contain a provision placing a Treasury Department in the Executive Branch; a Bureau of the Budget in the Executive Branch; and a General Accounting Office, headed by a Comptroller General in the Legislative Branch; with the Comptroller General being appointed by the Governor and confirmed by the Senate, and the Directors of the Bureau of the Budget and the Treasury Department being appointed by the Governor.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 209 - By Delegate Finch

A PROPOSAL that a Court of Claims shall be composed of at least three judges, with two judges constituting a quorum, with said judges being appointed by the Governor from a list of at least two, but no more than five eligible lawyers nominated by a judicial nominating commission.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 210 - By Delegate Finch.

A PROPOSAL that the judicial power of the State is vested exclusively in a unified judicial system composed of the Supreme Court, the Appellate Court, the Court of Claims, the Superior Court and the District Court.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

MOTIONS AND RESOLUTIONS

Motion No. 2 - By Delegates Johnson and Rybczynski.

A MOTION to amend Rule 28A to fix the time for the filing of a minority report of a committee.

It is moved that Rule 28A be amended by adding after the words "substantive committee" the words "except a minority report of said committee" and by adding the following paragraph:

"Except, upon the affirmative vote of a majority of the delegates present and voting the Committee of the Whole will receive no final minority report of a substantive committee after ten days from the date of filing of the majority report or November 27, 1967, whichever is later."

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND THE CONVENTION BUDGET.

At 2:30 P.M. on motion of Mr. Powers duly seconded, the Convention adjourned until Tuesday, Sept. 28, 1967, at 2:00 P.M., in honor of the birthday of Delegate Samuel W. Barrick.

CONSTITUTIONAL CONVENTION OF MARYLAND

JOURNAL OF PROCEEDINGS

Annapolis, Md., Thursday, Sept. 28, 1967

The Convention met at 2:00 P.M. .

Invocation was offered by Father Myles McGowan of Baltimore, Md.

Present at roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E.J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Grumbacher, Gullett, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Mentzer, Miller B., Miller E.T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Robey F.C., Robie K.L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

Total--136

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda. On motion of Delegate Powers, duly seconded, the Rules were suspended so that item 5a could be considered at this session of the Convention.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Scanlan, Chairman of the Committee on Rules, Credentials and Convention Budget reported on the FOURTH REPORT OF THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

THE UNIVERSITY OF CHICAGO

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Amendment offered by Samuel C. Linton from the floor to the Fourth Report of the Committee on Rules.

In paragraph 71C after the last word in that section, delete the period and add, "to make nominations after contacting the governing body of said county for the purpose of receiving recommendations."

WHICH AMENDMENT WAS READ AND REJECTED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Delegates--

Clark J., Anderson, Barrick, Boyce, Boyer, Burdette, Burgess, Bushong, Dabrowski, Della, Dorsey, Dukes, Fornos, Grumbacher, Gullett, Hardwicke, Harkness, Hickman, Hopkins, Hostetter, Johnson, Leitzel, Linton, Lord, Malkus, Murphy, Pascal, Pullen, Robie, Rush, Rybczynski, Scanlan, Siewierski, Smith, M.H., Sybert, Taylor, L., Webb, Weidemeyer, Wheatley. Total--39

Negative

Delegates--

Tawes, James, Abramson, Adkins, Armor, Bamberger, Bard, Baumann, Beachley, Beall, Blair, Boileau, Borom, Bothe, Bradshaw, Bryson, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E.J., Cleveland, Darby, Dulany, Finch, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Hargrove, Harris, Henderson, Hutchinson, Jett, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Macdonald, Marion, Mason, Mentzer, Miller B., Miller E.T., Mitchell, Morgan, Moser, Mosner, Mudd, Murray D.S., Murray E.C., Needle, Neilson, Neumann, Penniman, Peters, Powers, Price, Raley, Robey F.C., Rollins, Rosenstock, Schloeder, Schneider, Sherbow, Sickles, Singer, Smith J.H., Sollins, Sosnowski, Soul, Stern, Storm, Taylor H.E., Ulrich, Vecera, Wagandt, Willis, Willoner, Winslow. Total--92

Not Voting

Delegates--

President, Bennett, Boyles, Eckenrode, Fox, Groh, Hanson, Maurer, O'Connor, Webster, White. Total--11

Delegate White, duly seconded, moved to recommit the Fourth Report of the Committee on Rules, Credentials and Convention Budget.

SAID MOTION FAILED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Delegates--

Bennett, Blair, Freedlander, Mitchell, Murray E.C., Needle, Pascal,
Schneider, Storm, Taylor, L., White. Total--11

Negative

Delegates--

Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor,
Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Boileau, Bothe,
Boyce, Boyer, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell,
Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone,
Clagett, Clarke E.J., Cleveland, Dabrowski, Darby, Della, Dorsey,
Dulany, Eckenrode, Finch, Fornos, Frederick, Gallagher, Gilchrist,
Gill, Gleason, Grant, Grumbacher, Gullett, Hardwicke, Hargrove, Hark-
ness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson,
Jett, Johnson, Kahl, Kiefer, Kirkland, Koger, Kosakowski, Koss,
Leitzel, Linton, Lord, Macdonald, Marion, Mason, Mentzer, Miller B.,
Miller E.T., Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S.,
Neilson, Neumann, Penniman, Peters, Powers, Price, Pullen, Raley,
Robey F.C., Robie K.L., Rollins, Rosenstock, Rush, Rybczynski,
Scanlan, Schloeder, Sherbow, Sickles, Siewierski, Singer, Smith J.H.,
Smith M.H., Sollins, Sosnowski, Soul, Stern, Sybert, Taylor H.E.,
Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, Willis,
Willoner, Winslow. Total--119

Not Voting

Delegates--

President, Borom, Boyles, Dukes, Fox, Groh, Hanson, Key, Malkus,
Maurer, O'Connor, Webster. Total--12

ON MOTION OF DELEGATE SCANLAN DULY SECONDED THE FOURTH
REPORT OF THE COMMITTEE ON RULES, CREDENTIALS AND BUDGET WAS
ADOPTED BY VOICE VOTE.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 211-- By Delegate Finch

A PROPOSAL that the Governor shall annually inform the
citizenry of the State, of the general conditions of the State,

together with recommendations necessary to improve the general welfare of the citizenry of the State.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 212-- By Delegate Finch

A PROPOSAL that the Governor have the option to elect to retain his voting residency at his permanent residence prior to election as Governor.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 213-- By Delegate F. C. Robey

A PROPOSAL that for purposes of voting in the election for President and Vice-President of the United States or for presidential electors in that election only, the General Assembly shall provide for voting by former qualified voters of Maryland who have removed herefrom, providing they do not meet the voting residence requirements of the state to which they have removed.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 214-- By Delegate F. C. Robey

A PROPOSAL that a provision mandating a merit system for the public employees of the State be included in the Constitution.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 215-- By Delegates Lord and Jett

A PROPOSAL that the members of the General Assembly shall receive a minimum annual salary of \$7,500 and such pension and related benefits as may be prescribed by law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Memorandum Offered in Support of Proposal No. 215

Delegate Proposal No. 216-- By Delegates Bennett, Byrnes, Cardin, Chabot, Darby, Frederick, Grumbacher, Hutchinson, D. Murray, Rybczynski, Scanlan, Schloeder, Soul, White, Bamberger.

A PROPOSAL entitled Qualifications for Public Office that no ownership of an interest in property shall be required as a condition for holding any elective or appointive office,

The first part of the paper discusses the importance of the
 research and the objectives of the study. It also outlines the
 methodology used in the study and the results of the research.
 The second part of the paper discusses the findings of the study
 and the implications of the research. It also discusses the
 limitations of the study and the need for further research.
 The third part of the paper discusses the conclusions of the study
 and the recommendations for future research. It also discusses the
 significance of the research and the contribution of the study to
 the field of research.

except that officeholders may be required by statute to furnish appropriate bonds.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 217--By Delegate Byrnes

A PROPOSAL providing for the office of State's Attorney, and matters generally relating thereto.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 218--By Delegate Bennett

A PROPOSAL that excessive bail shall not be required. Neither excessive fines nor cruel and unusual punishment shall be provided by law or be imposed by the courts.

Penal administration and the sentences of the courts shall be based on the principle of reformation and upon the need for protecting the public.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 219--By Delegates Kirkland, Sosnowski, Stern, Blair, Caldwell, Pascal, Vecera, Wheatley, Key

A PROPOSAL that the office of the various clerks of court throughout the State be retained as an elected constitutional office.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 220--By Delegates Boileau and Kirkland

A PROPOSAL that the Constitution shall contain a clause on municipal government including matters relating to the creation, dissolution, merger and boundary changes of municipalities; powers of municipalities, and intergovernmental contracts.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 221--By Delegate Finch

A PROPOSAL that the Constitution contain a provision for selection and presentation of a meritorious award to a citizen

of the State in recognition of outstanding civic, civil or military services performed on behalf of the State and/or the Nation.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 222-- By Delegate Storm

A PROPOSAL that regulated public service companies be exempt from taxation in the same manner as agencies of state and local governments as to their income derived from furnishing public services, provided that as to all other property and income, such public service companies shall be taxed in the same manner as privately owned business ventures.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Memorandum Offered in Support of Delegate Proposal No. 222

Delegate Proposal No. 223-- By Delegate Storm

A PROPOSAL that property, the income from which is subject to taxation under the Income Tax law, shall not be subjected to taxation levied on real and personal property.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 224-- By Delegate Weidemeyer

A PROPOSAL that the State Senate of Maryland shall be composed of 52 Senators casting a total of 173 votes, each vote being determined and weighed in accordance with population, to the end that each county may have at least one Senator casting at least one vote.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 225-- By Delegate Burgess

A PROPOSAL that no law shall be enacted to authorize any agency or branch of the state government to deprive or disparage the personal or property rights of any individual without resort to due process of law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 226-- By Delegate Eckenrode

A PROPOSAL dealing with the Establishment of Regional Government requires confirmation of county government involved

if proposed by General Assembly; or confirmation of General Assembly if proposed by county government; or by majority vote of electorate if proposed by petition.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 227-- By Delegate Finch

A PROPOSAL that all persons born as a result of artificial insemination shall not be deprived of any right of inheritance as provided by law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

MOTIONS AND RESOLUTIONS

Resolution No. 7-- By Delegate Frederick

A RESOLUTION concerning the date and procedure for ratification of the proposed constitution.

* * *

RESOLVED BY THE CONSTITUTIONAL CONVENTION that in the best interest of the People of the State of Maryland, the General Assembly be requested to amend the aforementioned date of May 14, 1967, as the date for the special referendum election, to the first Tuesday in November, 1968; and

BE IT FURTHER RESOLVED, that the various Boards of Elections exhibit the proposed constitution in a conspicuous location on the voting machine, not necessarily in the area usually reserved for constitutional amendments and constitutional questions.

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

At 3:17 P.M., on motion of Mr. Powers, duly seconded, the convention adjourned until Friday, September 29, 1967, at 2:00 P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md.
Friday, Sept. 29, 1967

The Convention met at 2:00 P.M.

Invocation was offered by Rev. Morris G. Zumbrun of Linthicum Heights, Md.

Present at roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gleason, Grant, Groh, Grumbacher, Gullett, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E.T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Raley, Robey F.C., Robie, K.L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow Total--133

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

On motion of Delegate Powers, duly seconded, the Rules were suspended so that the resignations of two members could be announced, the select Committees appointed and a report could be made by these committees and the election of two members to fill the vacancies.

SAID MOTION PREVAILED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Delegates--

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair,

Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Burgess, Cicone, Clagett, Clark E.J., Cleveland, Dabrowski, Darby, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gleason, Grant, Groh, Grumbacher, Gullett, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Raley, Robey, F.C., Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, Willis, Willoner, Winslow. Total--130

Negative

Delegates--

Taylor L., White.

Total--2

Not Voting

Delegates--

Armor, Bushong, Della, Gill, Hanson, Key, Lord, O'Connor, Pullen, Webster. Total--10

WHICH WAS READ AND ADOPTED BY A VOICE VOTE.

RESIGNATIONS

September 27, 1967

Honorable H. Vernon Eney
President, Constitutional Convention
State House
Annapolis, Maryland

Dear Mr. President:

Confirming my letter of Setpember 26, 1967, I hereby tender my resignation as a delegate to the Constitutional Convention.

Sincerely yours,

/s/ Herbert R. O'Connor, Jr.

Herbert R. O'Connor, Jr.
Representative to the 22nd Session
of the General Assembly

WHICH WAS READ AND ACCEPTED.

The president announced the following Select Committee to consider a replacement for Herbert R. O'Connor, Jr.:

Delegates Armor - Chairman
" Boyce
" Byrnes
" Gallagher
" Harris
" Hopkins
" F.C. Robey, Jr.

852 Camden Avenue
Cumberland, Maryland
September 22, 1967

The Honorable H. Vernon Eney, President
Constitutional Convention of Maryland
State House
Annapolis, Maryland

Dear Mr. Eney:

As you will recall, I was elected as one of four delegates from Allegany County to the Constitutional Convention. I attended the initial session of the Convention and qualified to serve in this capacity. Thereafter, I became ill and have now been hospitalized for quite some time. Due to my illness, I have been unable to be present and participate in the work of the Convention since its plenary session began on September 12, 1967.

I have discussed my illness with my personal physicians, and I have now concluded that my physical condition will prevent me from serving as a Delegate to the Convention.

Under these circumstances, I believe the interest of the citizens of Maryland and of Allegany County will best be served by my resignation so that a replacement can be appointed.

Therefore, effective immediately, I hereby resign as Delegate to the Constitutional Convention of Maryland, and I request that you initiate whatever appropriate action is necessary to enable the Convention to appoint my successor as such.

Sincerely yours,
His X Mark
Ralph R. Webster

The above-noted signature of Ralph R. Webster was personally witnessed by each of the undersigned.

/s/ W.A. Van Ormer, M.D.
Witness: W.A. VanOrmer, M.D.

749 Washington St.
Cumberland, Md.
Address

/s/ Lester Keifer, M.D.
Witness: Lester Kiefer, M.D.

622 Washington St., Cumberland, Md.
Address

WHICH WAS READ AND ACCEPTED.

STATE OF MARYLAND
ALLEGANY COUNTY

TO WIT:

I HEREBY CERTIFY, That on this September 22, 1967, before me, the subscriber, a Notary Public of the State of Maryland, in and for Allegany County, aforesaid, personally appeared W. A. VanOrmer, M.D., and Lester Kiefer, M.D., both satisfactorily identified to me, and each made oath in due form of law that he is and has been attending Ralph R. Webster as his physician, that he personally witnessed the signature of said Ralph R. Webster on the attached letter addressed to The Honorable H. Vernon Eney, President, dated September 22, 1967, that prior to said signature being affixed thereto the contents of said letter were read and explained to said Ralph R. Webster, that in the medical opinion of each, said Ralph R. Webster fully understood and assented to the same, and that thereupon he did affix his signature thereto.

WITNESS my hand and Notarial Seal on the date above written.

/s/ Virginia L. Carter
NOTARY PUBLIC

My Commission Expires: July 1, 1969

WHICH WAS READ.

The president announced the following Select Committee to consider a replacement for Ralph R. Webster - resigned.

Delegate J. Glenn Beall - Chairman
" C. William Gilchrist
" John H. Mosner

The Governor of Maryland, Spiro T. Agnew was escorted into the Convention chamber and after being introduced by the President of the Convention delivered the following address:

ADDRESS BY GOVERNOR SPIRO T. AGNEW
FULL ASSEMBLY, CONSTITUTIONAL CONVENTION
STATE HOUSE, ANNAPOLIS, MARYLAND
SEPTEMBER 29, 1967 - 2:00 P.M.

When I took advantage of your kind invitation to address the organization session of this Convention, I suggested broad principles to guide your historic effort. I cited general objectives, stressed basic ideals, and concentrated on the essence rather than the specific.



It was my contention then, and I risk repeating it today for it cannot be overemphasized, that for a constitution to endure it must be mainly limited to an expression of great principles.

What are these great universal principles? First, to secure and sustain the sovereignty of the people. Second, to protect and perpetuate the rights of the individual. Third, to create a political structure which safeguards the citizen by a series of checks and balances among...but not within...our three traditional branches. Fourth, to develop that superstructure for the State most conducive to efficient administration, effective legislation and impartial adjudication.

Finally, to embrace a consistency of logic which reflects in the fewest words the fullest expression of a free society's solemn and voluntary contract with its government.

This assembly has been convened so that our State's Constitution may be reformed and rewritten to conform to those standards...standards which our present document fails to fulfill. All branches of our State government must be strengthened and streamlined. Simplicity and professionalism must be encouraged, responsibility to the electorate incisively exacted. Existing incoherencies require clarification. Superfluous detail must be discarded. Above all, a philosophy must prevail which recognizes the constitutional imperative that omission produces as significant an impact as inclusion.

Article I, the Declaration of Rights of the draft Constitution is concisely and courageously drawn with imaginative flexibility. I commend those who assisted in the drafting for their care and precision. However, I would like to make just a few observations about Article I.

In that respect, I think it most important that Section 1.02 be adopted as in the draft, and particularly that the words, "each person remaining responsible for abuse of those rights," be retained. We have recently seen the error of allowing criminal incitement to riot attempt to hide behind the cherished constitutional rights of freedom of expression. The draft language of Section 1.03 courageously faces the truth that the right "not to worship," alien though it may seem to us who believe in God, provides the only absolute guarantee that we will not later be told how and to what degree we must worship. In my opinion, Section 1.06, to be totally accurate, should be amended to read as follows: "Every person shall have the right of trial by jury of issues of fact in civil proceedings at law in the courts of this State, where the cause was recognized at common law and where the amount or value in controversy exceeds such minimum as may be fixed by statute." This change is suggested because there are certain administrative and purely statutory actions at law which did not exist at common law and for which no jury trial is assured.

I want to particularly commend and emphasize the need for the extension of the search and seizure protections of Section 1.08 to cover the unreasonable interception of communications. The uncontrolled wiretap and other snooping devices must be outlawed. Reasonable use of such surveillance is assured under the warrant procedures and court jurisdiction. The protection against double jeopardy, not extended to the states by the Federal 14th Amendment, is a progressive addition to our Declaration of Rights. Section 1.11 wisely leaves to the Legislature the question of capital punishment.

Article II governs our most precious right as free citizens-- the right to elect those who govern us. In referring to voting age requirements, it is my intention to raise a question, not to criticize. I urge you to join me in serious consideration as to the logic and justice of retaining the traditional age of twenty-one years as a qualification for enfranchisement. If a man is old enough to die for his nation at eighteen, is he not old enough to vote? If a citizen is required to perform civic obligations -- to pay taxes to and defend his government -- is a responsible government not obligated to guarantee equivalent rights?

Consistency of logic is a cogent constitutional objective. In Maryland, statutory provisions as to legal majority vary, but these are subordinate to the single constitutional issue you must confront. Is the attainment of twenty-one years of age a just, logical, pertinent or valid qualification for enfranchisement?

In Article II, tightening the referendum procedure and eliminating certain legislation from referendum petition is desirable. This portion removes ambiguities which clouded the 1867 Constitution yet guarantees the important right of referendum most effectively in terms of Maryland's present and projected population. There is one mechanical difficulty with Section 2.08, however, which could cause trouble. In cases where there is a very short space of time between the date a bill becomes law and the date the bill becomes effective as law, the referendum petition could not be completed in time to stay the law's becoming operative. This would mean that a law, passed by a simple legislative majority and made effective immediately, would have to be implemented by the executive branch prior to referendum vote and would remain in force until 30 days after a possible defeat.

The point is that the implementation of some laws is costly and we have always, and properly I believe, felt that if a law to be questioned by a referendum vote is to be effective while that vote is awaited, it must be passed by a three-fifth's majority of both houses of the Legislature. Therefore, I suggest that the Constitution provide that any bill which is to become effective less than sixty days from the date that bill becomes law must be enacted by a three-fifth's majority of both houses.

The first of these is the fact that the Government has a large amount of land which it can use for various purposes. This land is often sold at a low price, and the proceeds are used for various purposes. The second is the fact that the Government has a large amount of land which it can use for various purposes. This land is often sold at a low price, and the proceeds are used for various purposes.

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Article III, defines the scope and powers of the legislative branch. I support the retention of the bicameral form, particularly for the reasons expressed in Points 2, 3, 4 and 9 of the comments to the draft Constitution.

Section 3.03 of the draft instrument, providing for mandatory redistricting and reapportionment will assure fair and reasonable representation on a continuing basis.

Section 3.12 of the draft Constitution enables the General Assembly to convene special sessions on its own initiative. I endorse this measure as a logical and reasonable means to strengthen legislative authority.

However, I seriously question the draft's mandate to convene each regular session of the General Assembly on the third Wednesday of January. As Governor-Elect, I was acutely aware that this time factor severely inhibits review of the previous Administration's budgetary recommendations and preparation of a legislative program. For all practical purposes, the draft revision -- while an improvement over the existing arrangement -- curtails the exercise of leadership and initiative by the Governor-Elect.

Two modifications of the draft proposal could correct this situation. The first would be to authorize the inauguration of the incoming Governor on the first Wednesday in January; the second, to convene the regular session of the General Assembly on the first Wednesday in February. A combination of these features should facilitate adequate preparation of a legislative program, review of the budget, and encourage proper leadership by the Governor-Elect. Simultaneously, it would provide the newly elected General Assembly with an extra day to organize and elect its presiding officers.

Any discussion of Article IV must be prefaced by a discussion of the philosophy of the executive branch. The governor of any state is elected by a plurality of the voters. His authority stems from their mandate and he is directly responsible to the electorate. His election is presumed to imply the endorsement of his programs and policies as articulated during the gubernatorial campaign. While this mandate does not sanction unrestricted or unqualified executive action, ample constitutional safeguards against the abuse of executive authority are vested in the legislative and judicial branches. Checks and balances must exist among the three traditional branches of government to provide review of critical decisions and to prevent disproportionate exercise of authority. Yet this concept should not, I believe, be enlarged to allow checks and balances to exist within any single branch of government. For such an extension becomes a perversion of purpose which obscures clear lines of responsibility to the electorate and impairs initiative and effectiveness by that branch.

Under the existing Constitution's provisions, executive-administrative authority is eroded by a multiplicity of elected officials and a multi-headed board lacking unequivocal line responsibility to the Governor. If the executive-administrative function is to be performed as intended, these checks within the executive branch must be eliminated -- or defined and limited -- so as not to impede gubernatorial action. If a Governor is to be fully and exclusively responsible to the people, the administrators of the executive branch must be fully and exclusively responsible to him.

For this reason, I support the draft Constitution's provisions confining elective positions within the executive branch to a Governor and a Lieutenant Governor elected on the same ticket.

The post-audit review responsibility should be transferred from the Comptroller of the Treasury to the State Treasurer, who would supervise this function by a State Auditor under the legislative branch. The State Treasurer should continue to be elected by the General Assembly. However, the Comptroller, divested of post-audit responsibility, should become part of the executive branch and an appointee of the Governor.

In my opinion, the Board of Public Works should be continued but reconstituted. The Board provides a forum for public scrutiny and presents an opportunity for the expression of legislative views on significant decisions. I believe the State Treasurer, an adjunct of the legislative arm, should continue as the representative of the General Assembly. However, I believe that the State Budget Director would be a more useful and effective Board member than the Comptroller. The Budget Director, after all, plays a more active and responsible role in the implementation of Board decisions. As the Governor's appointee, he admittedly would tip the scales in the Governor's favor. This executive branch majority is an essential and necessary measure to eliminate any check within the executive branch.

While I favor an Attorney General appointed by the Governor, I recognize there are sound arguments both ways. I feel obligated to point out that the incumbent Attorney General has cooperated fully with my administration. Yet, it is obvious that it could easily have been otherwise.

In government, time as well as structure, is a critical factor. Section 4.16 of the draft Constitution -- regulating gubernatorial consideration of bills enacted by the General Assembly does not provide sufficient time for adequate deliberation by the Executive. A significant extension of the present ten-day limit is a critical need. I suggest that twenty days would be more practical. The Attorney General, I believe, would share my view since it often requires two weeks for his office to research and prepare opinions attesting to a measure's constitutionality.

The most vital sections of Article IV deal with the gubernatorial powers of appointment and reorganization. Here, Executive authority can be most logically strengthened to achieve more responsive and more efficient administration.

Section 4.19 of the draft Constitution provides the Governor with essential reorganization powers. Expanding and varying State problems virtually demand this authorization of Executive initiative. While I endorse the right of the General Assembly to approve or disapprove any reorganization plan presented by the Governor, I am concerned that the draft provision enables the Legislature to modify any proposal.

Legislative ability to modify reorganization plans obscures the clear lines of Executive responsibility. Moreover, the General Assembly may be unaware of the effect of a modification on other executive functions. Prohibition of the power to modify does not deny the Legislature the right to propose administrative reorganization or to reject it. It simply prevents revisions which might create a structure deviating in part or entirety from the Administration's original objectives.

I fully accept and give credence to the form and philosophy of Section 4.20. If gubernatorial policies are to be implemented, it is essential to assure the cooperation of all principal department heads through direct and unlimited line responsibility.

The provisions of Section 4.21 refer to the multi-headed administrative unit. A series of policy-making boards and commissions has evolved within the executive branch to direct principal departments.

I seriously question whether these multi-headed units are always in the best interest of efficient administration, although I have found incumbent boards cooperative.

However, a functional flaw becomes particularly apparent when the composition of a multi-headed unit is based upon staggered terms, allowing a majority to remain in power well beyond the terms of elected executive and legislative officials. This practice might encourage deliberate disregard of administrative controls and compromise Executive responsibility. Efficiency of a multi-headed unit is also subject to serious scrutiny inasmuch as all policy determination depends upon consensus and compromise. This, in some cases, could lead to pet project log-rolling among the Board members.

Article V generally sets forth measures to create a unified, independent and professional judicial system. It is imperative that major reforms occur within the Maryland Judiciary, especially in courts of original jurisdiction. Constitutional safeguards must be devised not only to secure full and equal justice for all, but to guarantee that judicial treatment be swift in time, professional in performance and consistent in quality.

Under the leadership of Judge Emory Niles, a distinguished committee intensively studied and subsequently recommended major reforms for the Maryland Judicial system. The Niles Plan, in essence, is incorporated within the provisions of Article V.

While I have consistently endorsed the Niles Plan in principle, I believe certain practical impediments exist which will actually undermine its laudable purpose. I would particularly draw your attention to those sections dealing with the composition of judicial nominating commissions. Section 5.15 grants the Appellate Courts Nominating Commission composed of six lay persons and six lawyers (along with a judge) the sole power to designate the lawyers who may be appointed appellate judges. It becomes instantly apparent that one-half of the State's twenty-four subdivisions cannot possibly be represented on this Commission. If a member is chosen on the basis of appellate circuits there can only be one law and one lay member from each. This almost courts manipulation and could promote log-rolling.

We must ask ourselves honestly whether we have not simply exchanged masters rather than secured independence; whether we have truly removed the courts from politics or simply moved the politics from the General Assembly to the Bar Association; whether the judicial nominating system as proposed in the draft Constitution does not militate against the appointment of the independent lawyer, the rural lawyer, the lawyer with a small, private practice.

I have great concern over the constitutional propriety of Section 5.17, which grants the Supreme Court the right to decree what class among lawyers of the State will be eligible to serve and what class among lawyers will participate in their selection. I urge you to seek alternative constitutional safeguards which might more effectively and realistically and rigorously achieve an independent judicial branch.

Article VI properly authorizes strong executive leadership in the preparation and presentation of the State budget. Of particular interest is the controversial matter of whether or not the present time limit on State indebtedness should be increased beyond 15 years. For most purposes, pay-as-you-go is a commendable objective and one which I have consistently supported. The inclusion of \$10 million as a current payment on capital improvements in the Fiscal 1968 budget attests to this fact.

Respected and experienced State fiscal experts are concerned about the impact of any bond period extension on the State's credit rating. I share their concern should such a privilege be uncontrolled and abused. However, we face a need to implement unusual and massive programs to purify our air and waters, to provide modern transportation systems, to meet the challenge to public safety.

These cannot be amortized over a 15-year period without a dramatic increase in the current tax burden. More importantly, because of the beneficial life of these improvements, they probably should be liquidated over a longer period.

Because of the complexity of this subject, I will later submit to this Convention a separate memorandum specifying my views and suggesting certain changes in the draft provisions.

Section 6.05, is perhaps the most politically sensitive provision in the entire draft Constitution. As an administrator who can proudly point to significant accomplishments in increasing State financial aid to all facets of public education, I am compelled to speak out forthrightly on this measure.

While I support the provisions of Section 6.05 requiring the mandatory inclusion of budgetary requests from the legislative and judicial branches of State government, I contend that the executive and legislative branches should have the authority to review and revise the education budget. Education is a part of the executive responsibility and while I do not deny its prominence in program priority, its budgetary provisions should not be excepted any more than those of the departments responsible for securing our citizens' health and public safety. The Governor and General Assembly, who in the last analysis are responsible for raising funds to support all State programs, and who are held directly responsible by the electorate for any increase in the tax burden, must be permitted the right to exercise discretionary powers commensurate with this responsibility. There is no reason to justify the obvious want of confidence in the executive and legislative branches that this section implies.

The exception of budgetary control over education is inconsistent with the constitutional concept requiring checks and balances to exist among and not within any single branch of government. In fact, this exception violates that constitutional principle in two of our three branches.

Similar logic must be applied in your consideration of Section 6.08. If the provisions of Section 6.05 require legislative and judicial budgets to be transmitted as requested, it is my belief that the Governor should have the right to exercise line item veto over these appropriations as enacted by the General Assembly. Without this right of executive review, the electorate is bereft of safeguards limiting legislative expenses.

Article VII dealing with the powers assigned or reserved to local government demands careful review. While I strongly endorse the principles of Home Rule, I believe any mandatory or implied shift of powers to the County governments should be considered with care. I have grave reservations over any partial or ambiguous grant of authority that is not exactly balanced by a direct line of accountable responsibility to the electorate.

Section 7.08 and 7.09 are sought to reform existing legislative practices that have been subject on isolated occasions to deliberate political manipulation and abuse. However, I do not believe that the classification system is the absolute or ultimate solution to this problem. Other alternatives should be explored to protect the counties without freezing them into rigid, restrictive categories.

Since a constitution is designed not only to serve the present but to anticipate the future, it is vital that provisions to facilitate regional government be included for that time -- no matter how distant -- when local governments desire to unite in some or several cooperative ventures.

Before concluding this testimony, I wish to note that this message has been intentionally limited to those major points and particular passages I most enthusiastically endorse or most seriously question. In all cases, I feel that there is room for further discussion and continued call for compromise based upon consistent logic and practical considerations. Flexibility for future generations compels flexibility in present attitudes.

The challenges of your charge are as inspiring as they are formidable. This State is blessed and commended by the experience and talent of its delegates to this Convention. In the weeks ahead you will find the intellectual demands exhausting, the efforts almost superhuman, the decisions often agonizing. Yet you shall meet these demands and make those decisions necessary to create a totally vital and viable document. If at times you despair that consensus is impossible, compromise inconceivable and, in fact, that this is too great a test for human minds, know that encouragement and inspiration reach out to you from the past -- that what you attempt has been successfully accomplished before.

Confidence and comfort for today are to be gained from memories of our nation's first Constitutional Convention, where experienced and dedicated -- yet fallible and mortal men -- assembled to constitute a totally new, representative and democratic government. Conscious of their limitations but confident in their principles, they forged a free and flexible Federal System and gave birth to an enduring government. A government so good and great, its characterization by Thomas Jefferson almost two centuries ago is applicable today: "With all the imperfections of our present government, it is without comparison the best existing, or that ever did exist."

REPORTS OF SELECT COMMITTEES

REPORT OF THE SELECT COMMITTEE
TO FILL THE VACANCY CAUSED BY
THE RESIGNATION OF HONORABLE
RALPH R. WEBSTER - DELEGATE
GLENN BEALL REPORTING

The Select Committee has met, in accordance with Rule 71, to nominate to the Convention a person to fill the vacancy occurring by reason of the resignation of the Honorable Ralph R. Webster, Delegate from Allegany County.

The Select Committee, by unanimous vote, desires to submit to the Convention as its sole nominee Mr. Harold K. Ritter, of Allegany County. Mr. Ritter is a qualified person in accordance with Section 7 of Chapter 4, Acts of 1967, and a concise written statement of his abilities and experience is attached hereto.

Respectfully submitted,
/s/J. Glenn Beall
J. Glenn Beall

/s/C. William Gilchrist
C. William Gilchrist

/s/John H. Mosner
John H. Mosner
Comprising the Select Committee

STATEMENT OF ABILITIES AND EXPERIENCE
OF HAROLD K. RITTER, NOMINEE TO FILL THE
VACANCY IN THE CONSTITUTIONAL CONVENTION
CAUSED BY THE RESIGNATION OF HONORABLE
RALPH R. WEBSTER OF ALLEGANY COUNTY

Harold K. Ritter is 51 years of age and resides at 529 Williams Street, Cumberland, Allegany County, Maryland. Mr. Ritter has been a resident of Maryland since 1938.

Mr. Ritter is a graduate of Wilkinsburg High School, Wilkinsburg, Pennsylvania, of Oakland Business School, Pittsburgh, Pennsylvania, and of the Institute of Labor Studies of the University of West Virginia. He has also completed courses in Parliamentary Law at the University of Miami.

An employee of the Baltimore and Ohio Railroad Company since 1943, Mr. Ritter has served 18 years as Treasurer of Lodge No. 27, Brotherhood of Railroad Trainmen, Cumberland. He has been active in legislative affairs in Maryland for 17 years, serving 12 years as local legislative representative.

Few people have had as much experience as a legislative agent in Maryland as has Mr. Ritter. For the past five years he has represented the Brotherhood of which he is a member before the General Assembly. In this capacity he has been the chief legislative representative of all trainmen in Maryland, including employees of the Baltimore and Ohio Railroad, the Pennsylvania Railroad, the Western Maryland Railway Company, the Patapsco and Back River Railroad, and the Canton Railroad. He also represents the Baltimore and Annapolis Railroad trainmen and bus drivers and the Baltimore Motor Coach Drivers. His duties have been full time during all sessions of the General Assembly.

Mr. Ritter served two years in the South Pacific with the U.S. Army during World War II. He is a member of the American Legion, Veterans of Foreign Wars, the Elk and the Masonic bodies of Cumberland. He is married to the former Margaret Courtney, of Cumberland, and the couple are the parents of two married daughters, Mrs. Barbara V. Olson and Mrs. Charlotte L. Gregg, both now residents of Hyattsville.

THE COMMITTEE REPORT WAS ADOPTED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Delegates--

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E.J., Cleveland, Dabrowski, Darby, Dorsey, Dukes, Dulany, Eckenrode, Fornos, Fox, Frederick, Gallagher, Gilchrist, Gleason, Grant, Groh, Grumbacher, Gullett, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Kiefer, Kirkland, Koger, Kosakowski, Koss, Litzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E.T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Raley, Robey F.C., Robie K.L., Rush, Rosenstock, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Weidemeyer, Wheatley, Willis, Willoner, Winslow. Total--127.

Negative

Delegates--None

Not Voting

Delegates--

Armor, Bushong, Della, Finch, Freedlander, Gill, Hanson, Key,
Needle, Pullen, Rollins, Webb, White Total--13

The President announced that the nominee Mr. Harold K. Ritter of Allegany County was elected a member of this Convention caused by the resignation of Delegate Ralph R. Webster.

Delegate J. Glenn Beall introduced to the Convention Delegate Ritter.

Delegate Ritter took the oath of office administered by the president of the Convention.

REPORT OF THE SELECT COMMITTEE TO
FILL THE VACANCY CAUSED BY THE
RESIGNATION OF HONORABLE HERBERT
R. O'CONOR, JR. - DELEGATE BOYCE
REPORTING

The Select Committee; C. Meredith Boyce, John C. Byrnes, Francis X. Gallagher, Charney L. Harris, Anne D. Hopkins, Frank C. Robey, Jr. and G. Maxwell Armor, Jr., Chairman, has met, in accordance with Rule 71, to nominate to the Convention a person to fill the vacancy occurring by reason of the resignation of the Honorable Herbert R. O'Connor, Jr., Delegate from the Third District of Baltimore City.

The Select Committee desires to submit to the Convention as its sole nominee, Mrs. Agnes White Smith of the Third District of Baltimore City. Mrs. Smith is a qualified person in accordance with Section 7 of Chapter 4, Acts of 1967, and a concise written statement of her abilities and experience is attached hereto.

Respectfully submitted,
SELECT COMMITTEE

C. Meredith Boyce
Acting Chairman

STATEMENT OF ABILITIES AND EXPERIENCE
OF MRS. AGNES WHITE SMITH, NOMINEE
TO FILL THE VACANCY CAUSED BY THE
RESIGNATION OF HONORABLE HERBERT R.
O'CONOR, JR.

Mrs. Agnes White Smith resides at 323 Rossiter Avenue, Baltimore City, Maryland. She is a native Marylander and has lived in the Third District of Baltimore for many years.

Mrs. Smith has been an untiring worker and leader in community activities, many of which were school oriented. She also has teaching experience. To the Convention she brings a broad background of experiences with the people in the community. She knows and is concerned with their needs in government.

Her interest in the Constitutional Convention led her to run in the election of the delegates. There were 63 candidates in the Third District of Baltimore City among which eight were elected. Mrs. Smith came in ninth. We therefore believe she truly represents the wishes of the voters.

THE REPORT OF THE SELECT COMMITTEE WAS ADOPTED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Delegates--

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E.J., Cleveland, Dabrowski, Darby, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gleason, Grant, Groh, Grumbacker, Gullett, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E.T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, Penniman, Peters, Powers, Price, Raley, Robie K.L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickels, Siewierski, Singer, Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total--129

Negative

Delegates-- None.

Not Voting

Delegates--

Armor, Bushong, Della, Gill, Hanson, Key,	Pascal, Pullen,
Robey F.C., Sybert, Webb,	Total--11

The President announced that Mrs. Agnes White Smith was elected a member of this Convention to fill the vacancy by reason of the resignation of Herbert R. O'Connor, Jr.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 228--By Delegate Finch

A PROPOSAL for a legislative committee whose sole duty shall be to examine federal encroachments on States' rights, and to propose such legislation as will censure any of the three branches of the Federal government which have presumed to enforce its power against the State.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 229--By Delegate Finch

A PROPOSAL that there shall not be any cruel or unusual punishments for offenses, and that there be capital punishment for capital crimes specified by law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 230-- By Delegate Finch.

A PROPOSAL that when a person is arrested on a warrant charging him with a felony punishable by imprisonment, that such accused shall not be required to furnish bail until after a preliminary hearing; nor shall such accused be subjected to photographing and finger printing unless specified by the trial judge.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 231-- By Delegate Finch.

A PROPOSAL enabling the Governor to enter into compacts and agreements with other States (subject to the approval of the Legislature) directed to the solution of public safety, air and water pollution, extradition, health, education and welfare.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 232-- By Delegate Finch

A PROPOSAL authorizing the Governor (or Legislature) to enter into agreements and understandings with Federal and State government, in order to conserve natural resources, to prevent erosion of land.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 233-- By Delegate Finch

A PROPOSAL giving the Governor the power to commute the death sentence for a capital offense.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 234-- By Delegate Sherbow

A PROPOSAL that corporations be formed under general laws, but not created by Special Act, except for municipal purposes.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 235--By Delegate Gill

A PROPOSAL that Senators shall run at large throughout their legislative districts, but that legislative districts with more than one delegate shall be subdivided so that each delegate represents only one equal portion of the district.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 236--By Delegates Stern and Dukes

A PROPOSAL to incorporate the Maryland Tax Court into the uniform court system under the Judiciary Article as a Constitutional Court.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 237--By Delegate Storm

A PROPOSAL that there shall be included in the Constitution a provision reserving to the State Jurisdiction over federal enclaves.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 238--By Delegate Finch

A PROPOSAL that no person accused of a crime shall be required to post cash, property or surety bonds to ensure his freedom prior to trial.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 239--By Delegate Gallagher at the request of the Committee on the Legislative Branch.

A PROPOSAL that Article III, Section 3.12 of the Constitution provide that the leadership of the Senate and House of Delegates be empowered to call special sessions of the General Assembly, and that the Constitution provide for split sessions of the General Assembly for budget purposes.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 240--By Delegate Finch

A PROPOSAL that the Governor have a Cabinet of not more than twenty-five (25) departments to be determined by the Legislature for

coordinating the various functions of the executive branch of government, including Agriculture, Banking, Commerce, Education, Health, Insurance, Labor, Legal, Natural Resources, Military, Public Safety, Public Services, Science and Technology, Secretary of State, Transportation, Treasury, and Welfare: with the heads of such departments appointed by the Governor and confirmed by the Senate;

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 241--By Delegate Finch

A PROPOSAL establishing a free public education system operated on a twelve month basis, with suitable vacation periods throughout the school year.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 242--BY DELEGATE FINCH

A PROPOSAL granting the Governor, subject to the approval of the Legislature, power to enter into negotiations and agreements with the Federal government.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 243--By Delegate Finch

A PROPOSAL that the Governor be empowered to create a State Office concerned with the coordination of Federal, State, and local efforts in the field of crime control, with the necessary powers to carry out this role for public safety and minimization of crime and delinquency.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 244--By Delegate Finch

A PROPOSAL that the State establish a medical institution to receive and treat narcotic and drug patients referred by courts and general medical institutions.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 245--By Delegate Finch

A PROPOSAL that the Legislature establish the office of Maryland Public Defender, with district offices; function being to defend persons accused of a crime against the State and where such accused is indigent.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 246--By Delegate Finch

A PROPOSAL creating the Office of Maryland Anti-Gambling Commission whose function is combating the recognized

The first part of the book is devoted to a description of the life of J. J. Robertson, from his birth in 1811 to his death in 1881. The second part is a collection of letters and other documents relating to his life and work. The third part is a collection of extracts from his writings, and the fourth part is a collection of extracts from the writings of others who were associated with him.

The book is written in a simple and straightforward style, and is intended to be a biography of J. J. Robertson. It is not a work of fiction, and it is not a work of history. It is a work of biography, and it is intended to be a record of the life of a man who was one of the great men of his time.

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central financial source of organized crime.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 247--By Delegate Finch

A PROPOSAL that no person shall be interrogated by police authorities once the investigation turns from an inquisitorial process to an accusatorial process.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

MOTIONS AND RESOLUTIONS

Resolution No. 8--By Delegate Gerald D. Morgan

RESOLUTION CONCERNING THE AMENDMENT OF RULE 53 OF THE STANDING RULES PROVIDING THAT NO PROPOSALS BY DELEGATES MAY BE INTRODUCED AFTER OCTOBER 13, 1967.

BE IT RESOLVED BY THE CONSTITUTIONAL CONVENTION OF 1967 that Rule 53 of the Standing Rules is amended by inserting at the end thereof a new sentence reading as follows:

"No Delegate Proposal shall be introduced after October 13, 1967."

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

ANNOUNCEMENTS

Entertainment Committee

Vecera, Vincent J., Chairman
Cicone, Audrey Ward
Hickman, Carter M.
Koger, Earl, Sr.
Mosner, John H.
Robie, Kathleen L.
Ulrich, Catherine B.

At 3:45 o'clock P.M., on motion of Mr. Powers, duly seconded, the convention adjourned until Monday, October 2, 1967, at 4:00 P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Monday, Oct. 2, 1967

The Convention met at 4:00 o'clock P.M.

Invocation was offered by Rev. John W. Neimiller of Howard County, Maryland.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E.J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E.T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F.C., Robie K.L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Storm, Sybert, Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total--136

The President administered the Oath of Office to Delegate Agnes White Smith.

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Scanlan, Chairman of the Rules, Credentials and Convention Budget Committee offered the SIXTH REPORT OF THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

The Committee on Rules, Credentials and Convention Budget has considered Resolution No. 4, introduced by Delegate Hickman, and circulated to all the delegates on September 22, 1967. The resolution concerns the procedure for introducing a proposal or recommendation. The sponsor of Resolution No. 4 appeared before your Committee to explain his proposal. Your committee reports Resolution No. 4 unfavorably and recommends that the Convention not adopt it.

The Resolution

The resolving clause of Delegate Hickman's resolution originally proposed: That beginning Friday, September 29, 1967, each delegate proposal and substantive committee recommendation regarding a fiscal program be accompanied with a memorandum setting forth the monetary budget required by the fiscal program, and, if a similar program now exists, a comparative cost study of the proposed program with the program now in existence.

However, at the hearing before your Committee, Delegate Hickman amended his proposal to eliminate any reference to "delegate proposals."

Explanatory Comment

The Committee recommends rejection of the proposed Resolution No. 4, both in its original and amended form. The procedure it suggests would lay a heavy burden on many, if not all, of the delegates in drafting and submitting delegate proposals for consideration by their colleagues. In most cases, obtaining the information required under the procedure contemplated by Resolution No. 4 would be very difficult, if not impossible, to do.* * * To adopt the procedure proposed by Resolution No. 4 would seriously impair the flow of ideas and proposals emanating from the delegates and would strike at one of the reasons for the existence of the Convention. Secondly, it would place a heavy task on the state officials who would be besieged with requests for fiscal data on the part of these delegates and committees. * * *

In any event, the resolution in its present form would create obstacles to the free exchange of ideas which should be the sine qua non of any successful Constitution.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON CALENDAR AND AGENDA.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

The President announced to the Convention that he has re-referred Delegate Proposals No. 164 and No. 182 to the Committee on Suffrage and Elections.

Delegate Proposal No. 248 -- By Delegates Chabot, Schloeder,
H. Taylor.

A PROPOSAL entitled General Elections that a State general election shall be held in every even-numbered year on the Tuesday next after the first Monday in November.

A general election shall be held on the Tuesday next after the first Monday in November in 1971 and every fourth year thereafter for county and Baltimore City officials.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 249 -- By Delegate Chabot.

A PROPOSAL that the governmental power of eminent domain shall be exercised only by the State or its subdivisions or any agency thereof designated by law to exercise such power within this State.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS **AND** THE PREAMBLE.

Delegate Proposal No. 250 -- By Delegate Bard.

A PROPOSAL to provide for the protection and education of the people of the State against unfair, inequitable or dishonest sales, marketing, advertising and financing practices.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 251 -- By Delegate Gallagher at the Request of the Committee on the Legislative Branch.

A PROPOSAL entitled Supplementary Appropriations that the General Assembly be permitted to consider supplementary appropriation bills prior to the adoption of the Governor's budget.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 252 -- By Delegate Gallagher at the Request of the Committee on the Legislative Branch.

A PROPOSAL entitled Enactment of Budget Bill that the General Assembly be permitted to set its own time limit for consideration of the Governor's budget.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 253 -- By Delegate Wheatley.

A PROPOSAL that the Constitution provide for a Legislative Auditor to be elected by the General Assembly, and matters generally relating thereto.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 254 -- By Delegate Finch.

A PROPOSAL that no confession will be admissible into evidence unless the accused person has been advised of his constitutional rights, including but not limited to the right to have counsel, to remain silent, and that his confession will be introduced against him as evidence in the State's case.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 255 -- By Delegate Finch.

A PROPOSAL that a bi-partisan commission (composed of representatives of the major political parties, including a representative proportion of laymen, lawyers, and current judges) shall be appointed for the selection of judges.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 256 -- By Delegate Finch.

A PROPOSAL for the establishment of a bipartisan reapportionment commission to reapportion legislative and congressional districts upon the completion and publication of each federal census.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 257 -- By Delegate Finch.

A PROPOSAL that the State's Attorney shall disclose to the defense counsel for the accused any evidence which the State will introduce against the defendant.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

THE UNIVERSITY OF CHICAGO PRESS

Delegate Proposal No. 258 -- By Delegates Winslow, Borom, Bothe, Boyles, Case, Clagett, Freedlander, Groh, Grumbacher, Hardwicke, Jett, Koss, Marion, Mudd, Needle, Raley, Sollins, Wagandt.

A PROPOSAL that the General Assembly consist of one chamber, limited in size from a minimum of 60 to a maximum of 90.

After each census of the United States, the State shall be reapportioned and redistricted. For this purpose a commission of fifteen members shall be appointed by the Governor which shall reapportion and redistrict the State, controlled by the guidelines of compactness and contiguity of territory and with the number of people per delegate in each district varying not more than 5% from the average.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 259 -- By Delegates Chabot and Cardin.

A PROPOSAL entitled Pluralities; Tie Votes, that the candidates receiving the greatest numbers of votes shall be elected.

If at any election for Governor or other office elected directly by the voters of the entire State, any two or more candidates shall have the highest and an equal number of votes, then the General Assembly shall choose from among such candidates the person to fill the office for which they were candidates.

If at any election for any county office elected directly by the voters of the entire county, any two or more candidates shall have the highest and an equal number of votes, then the legislative body of the county shall choose from among such candidates the person to fill the office.

Except as otherwise provided in this section, if at any election any two or more candidates shall have the highest and an equal number of votes, a new election shall be ordered by the Governor.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 260 -- By Delegate Price.

A PROPOSAL that the Declaration of Rights provide for freedom of religion, separation of church and State and matters generally relating thereto.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

MOTIONS AND RESOLUTIONS

Resolution No. 9 -- By Delegates Adkins, Morgan, and Scanlan.

BE IT RESOLVED BY THE CONSTITUTIONAL CONVENTION of 1967 that Rule 27 of the Rules of the Convention be amended by inserting at the end thereof a new sentence reading as follows:

"The requirements imposed by this rule shall not be applicable with respect to Delegate Proposals introduced after October 23, 1967."

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

ANNOUNCEMENTS

The President announced that Delegate Ritter would serve on the Committee on General Provisions, and that Delegate Agnes White Smith would serve on the Executive Branch Committee.

Delegate Beall advised the Convention that former Delegate Webster died this morning. The Delegates rose and remained silent for one minute in his honor.

At 4:20 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Tuesday, October 3, 1967, at 2:00 o'clock P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Tuesday, Oct. 3, 1967

The Convention met at 2:00 o'clock P.M.

Invocation was offered by Rev. Bernard A. Jennings of
Havre de Grace, Maryland.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson,
Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett,
Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw,
Bryson, Burdette, *Bushong, Buzzell, **Caldwell, Cardin, Carson, Chabot,
Case, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski,
Darby, Della, Dorsey, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick,
Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh,
Grumbacher, Gullett, Hardwicke, Hargrove, Harkness, Harris, Henderson,
Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key,
Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord,
Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B.,
Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy,
Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal,
Peters, Powers, Price, Pullen, Raley, Ritter, Robey F. C.,
Robie K. L., Rosenstock, Rush, Rybczynski, Scanlan, Schloeder,
Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A. W.,
Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm,
Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb,
Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

*Burgess, **Byrnes

Total - 138

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda,
reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Scanlan, Chairman of the Rules, Credentials and Convention
Budget Committee, reported on the Sixth Report of the Committee
on Rules, Credentials and Convention Budget introduced October 2, 1967.

RESOLUTION NO. 4 WAS REJECTED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Boyer, Della, Fornos, Hickman, Hopkins, Hostetter, Hutchinson, Johnson, Kahl, Kosakowski, Malkus, Rush, Vecera.

Total - 13

Not Voting

Dukes, Hanson, Penniman, Rollins, White.

Total - 5

Negative

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Dorsey, Dulany, Ecenrode, Finch, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hardwicke, Hargrove, Harkness, Harris, Henderson, Jett, Key, Kiefer, Kirkland, Koger, Koss, Litzel, Linton, Lord, Macdonald, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Peters, Powers, Price, Pullen, Raley, Ritter, Robey, F. C., Robie, K. L., Rollins, Rosenstock, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A. W., Smith J. H., Smith, M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

Total - 124

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

The President announced he rereferred Delegate Proposals No. 30 and No. 153 to the Committee on State Finance and Taxation.

Delegate Proposal No. 261 -- By Delegates Jett and Singer.

A PROPOSAL that the Constitution neither prohibit nor establish autonomy or independence for the governing boards of the University of Maryland, the state colleges or any other institution of higher learning.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 262 -- By Delegate Carson.

A PROPOSAL that the office of Sheriff be retained as an elective office under the Constitution.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 263 -- By Delegate Boileau.

A PROPOSAL that the Preamble should read:

We, the People of the State of Maryland, recognizing our rights as a sovereign member of the Federal System of Government, reaffirm our adherence to the Constitution of the United States of America; and in order to assure our liberty, freedom, fraternity, equality, health, safety and welfare, we do ordain and establish this constitution:

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 264 -- By Delegate Gallagher.

A PROPOSAL that Article III, Legislative Branch, shall contain provisions regarding the creation and operation of a combined Unicameral-Bicameral legislature (CUB), including legislative power, legislative districts, district representation, size of General Assembly, consideration of bills, and journal.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 265 -- By Delegate Finch.

A PROPOSAL that provides for the assumption by the State of all court costs in criminal cases.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 266 -- By Delegate Finch.

A PROPOSAL that provides for the assumption by the State of all welfare program financing.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 267 -- By Delegate Finch.

A PROPOSAL that it shall be a criminal offense for any person receiving compensation from the State to solicit funds of any kind from the public at large or from governmental employees.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 268 -- By Delegate Finch.

A PROPOSAL that any trial judge shall have continuing jurisdiction in any case where subsequent to the conviction by the court it is disclosed by the prosecuting witness or witnesses that they committed perjury, and such disclosure warrants the immediate release of the defendant.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 269 -- By Delegate Finch.

A PROPOSAL that it be mandatory for restitution to be made in all false pretense and forgery criminal cases.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 270 -- By Delegate Finch.

A PROPOSAL that the legislature characterize all private and parochial school tuitions as either tax deductible or as a tax credit, computed at a pre-determined percentage of the tuition expenses.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 271 -- By Delegate Finch.

A PROPOSAL that the State pay for the educational training in any private or parochial school approved by the Maryland Department of Education to the same degree that the State finances public education.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 272 -- By Delegate Finch.

A PROPOSAL that upon the conviction and sentencing of a defendant to more than sixty (60) days in a correctional institution, that such sentence shall be referred and reviewed by a correctional classification committee whose responsibility it would be to determine the type of correctional treatment and the duration thereof.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 273 -- By Delegate Finch.

A PROPOSAL that the State's forest reserves shall be kept "Forever Wild," and further provide for a "conservation bill of rights" preserving the natural resources, wild life and wasting assets of the State.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 274 -- By Delegate Finch.

A PROPOSAL requiring an annual external audit by independent firms of the finances of the legislative, judicial and executive branches of government, including all departments, agencies and instrumentalities thereof; and further that determination of such firms shall be made by legislative appointment and ratification by a vote of the People.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 275 -- By Delegate Finch.

A PROPOSAL that absolutely prohibits any police power or governmental agency of any nature from using any eavesdropping or recording equipment, devices, apparatuses, or processes.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 276 -- By Delegate Wheatley.

A PROPOSAL that the governing boards of state institutions of higher education shall have exclusive general supervision as well as the control and direction of all expenditures from the institutions' funds as may be feasible and consistent with their status as public agencies.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

MOTIONS AND RESOLUTIONS

On motion of Delegate Powers, duly seconded, the Rules were suspended by yeas and nays as follows to permit the immediate adoption of Resolution No. 10.

Affirmative

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dulany, Eckenrode, Finch, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F. C., Robie K. L., Rosenstock, Rush, Rybczynski, Scanlan, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

Total - 136

Not Voting

Dukes, Fornos, Hanson, Penniman, Rollins, Schloeder.

Total - 6

Negative

None

Resolution No. 10 -- By Delegates Beall, Gilchrist, Mosner and Ritter.

A RESOLUTION expressing the profound regret of the Convention over the untimely death of the Honorable Ralph R. Webster, of Allegany County.

The Delegates to the Constitutional Convention of Maryland learned with deep regret of the passing of Honorable Ralph R. Webster on October 2nd, 1967.

Mr. Webster was elected a delegate to this Convention from Allegany County, and was sworn in on July 11th, 1967, but illness required him to offer his resignation.

Ralph R. Webster was born in Somerset County. After attending the public schools in that county he was graduated from St. John's College, later receiving a master's degree from the University of Maryland and doing further graduate work at Columbia and Johns Hopkins Universities. His career, in the educational field, covered posts in Frederick, Garrett and Allegany Counties, and he had served from 1952 until 1966 as Superintendent of Schools in Allegany County.

In his service as Superintendent of Schools for Allegany County, Ralph Webster made an outstanding record during a period of considerable stress. Expansion of facilities, provision of new programs, the founding of the first community college in Western Maryland, and strengthening of faculty and administration standards marked his administration. His services were not limited to those required of his vocation, and Mr. Webster made many other contributions to his community, including service as chairman of Cumberland's Civil Service Commission, as an advisor to the Naval Reserve, and as an officer or member of many civic, church and fraternal groups. He was a 33rd Degree Mason, an honor which comes to few men.

Thousands of citizens of Maryland are better men and women because of the devotion of Ralph R. Webster to the cause of education and to the betterment of the area in which he lived. More than forty years of daily work among our young people have left with them a lasting imprint of this fine man. Quiet and warm in personality, marked by sincerity and held in respect and affection by everyone who knew him, Ralph Webster's contributions to the people of his state will long be remembered.

NOW THEREFORE BE IT RESOLVED BY THE CONSTITUTIONAL CONVENTION OF MARYLAND, that the deepest sympathy of every member of this Convention be, and it is hereby expressed over the passing of the Honorable Ralph R. Webster of Allegany County, and

BE IT FURTHER RESOLVED that the Secretary of this Convention is requested to send a copy of this Resolution to Mrs. Ralph R. Webster.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

Resolution No. 11 -- By Delegate Finch.

WHEREAS, IT IS THE DUTY of each Committee to give proper consideration to each proposal referred to it; and

WHEREAS, if a proposal is not acted upon or incorporated into the Committee's report, the record will not disclose the consideration and/or the reasons for the Committee action taken on such proposal; now therefore, be it

RESOLVED BY THE CONSTITUTIONAL CONVENTION that every committee shall make a definite recommendation concerning each proposal referred to it; and be it further

RESOLVED, that a written memorandum indicating the reasons for the action recommended shall accompany each such recommendation; and be it further

RESOLVED, that the recommendation and attached memorandum shall be filed in the Office of the Chief Clerk.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

At 2:40 o'clock P. M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Wednesday, October 4, 1967, at 2:00 o'clock P. M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Wed., Oct. 4, 1967

The Convention met at 2:00 o'clock P.M.

Invocation was offered by Rev. Roma C. Davis of Pasadena, Maryland.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Case, Chabot, Child, Cicone, Clagett, Clarke E.J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E.T., Mitchell, Morgan, Moser, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F.C., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A.W., Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total--137

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee of Calendar and Agenda, reported the Daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Scanlan, Chairman of the Committee of Rules, Credentials and Convention Budget Committee offered the SEVENTH REPORT OF THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

The Committee on Rules has considered Motion No. 2, introduced by Delegates Johnson and Rybczynski, on September 27, 1967. The Committee recommends that Motion No. 2, both in its original form and in a modified form subsequently suggested by its sponsors, not be adopted by the Convention.

THE PROPOSED AMENDMENT

As distributed to the delegates, Motion No. 2 reads as follows:

The first of these is the fact that the Indians of the Northwest Coast were not a single people, but a collection of many different tribes, each with its own language and customs.

The second is the fact that the Indians of the Northwest Coast were not a primitive people, but a people who had reached a high stage of civilization. They had developed a system of social organization, a system of government, and a system of religion. They had also developed a system of art and a system of science.

The third is the fact that the Indians of the Northwest Coast were not a static people, but a people who were constantly changing. They were constantly adopting new ideas and new customs from other peoples.

The fourth is the fact that the Indians of the Northwest Coast were not a people who were isolated from the world, but a people who were in contact with other peoples. They were constantly trading with other peoples and exchanging ideas and customs.

The fifth is the fact that the Indians of the Northwest Coast were not a people who were ignorant of the world, but a people who were well-informed. They had a knowledge of the world around them and of the world beyond.

The sixth is the fact that the Indians of the Northwest Coast were not a people who were without a sense of history, but a people who had a sense of history. They knew where they came from and where they were going.

It is moved that Rule 28A be amended by adding after the words, "substantive committee" the words "except a minority report of said committee" and by adding the following paragraph:

"Except, upon the affirmative vote of a majority of the delegates present and voting the Committee of the Whole will receive no final minority report of a substantive committee after ten days from the date of filing of the majority report or November 27, 1967, whichever is later."

However, in appearing before the Committee on Rules to support their motion, Delegates Johnson and Rybczynski called attention to two typographical errors. First, it was their intention to use the date of November 17, 1967 -- not November 27, 1967. Secondly, the last clause in the paragraph which reads "whichever is later" should read "whichever is sooner". In their appearances before the Committee, the sponsors of Motion No. 2 abandoned it as an attempt to amend Rule 28A of the Convention Rules of Procedure. They asked, however, that it be treated as a proposed amendment to Rule 31. That rule now provides as follows:

General Orders of the Day. All proposals reported by any committee of the Convention shall be referred to the Committee of the Whole and kept in the file called "General Orders of the Day". No committee proposal shall be considered by the Committee of the Whole until the third day after it has been referred to the Committee of the Whole, unless the Convention, by the affirmative vote of a majority of the delegates present and voting, agrees to its earlier consideration.

The sponsors of Motion No. 2 argue that Rule 31 should be amended as as to permit at least a 5-day delay between the time a committee report reaches the Committee of the Whole and the date upon which that Committee could take it up. As we further understand their position, any minority report would also have to be submitted to the Committee of the Whole within the suggested 5-day period.

Your Committee recommends: (1) against any amendment of Rule 28A as originally suggested by Motion No. 2, and, (2) against any amendment of Rule 31, as proposed by Delegates Johnson and Rybczynski in their appearance before your Committee.

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON CALENDAR AND AGENDA.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 277-- By Delegate Singer

A PROPOSAL prohibiting any State official, agency or branch of government from any action which shall create, control or make appointments to any position, program or service within the State without bearing the financial responsibility for such action.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON EXECUTIVE BRANCH

Delegate Proposal No. 278-- By Delegates Della and Bushong

A PROPOSAL for Article III Legislative Branch including provisions on Legislative power; Legislative Districts; redistricting; qualifications for Senator and Delegate; term of office; eligibility for Senators and Delegates; vacancies; compensation; immunities; size of General Assembly; Legislative sessions; organization of General Assembly; Quorum; form of laws; passage of bills; Journal; impeachment; local and special laws.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 279-- By Delegates Gallagher and Bard

A PROPOSAL that a member of the General Assembly shall be elected by the qualified voters of the legislative district from which he seeks election, to serve for a term of four years. One half of the members of each house shall be elected every two years.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 280-- By Delegates Gallagher and Bard

A PROPOSAL that each house shall keep a current, daily journal of its proceedings which shall be open to public inspection at all times and shall be published as soon as practicable. A vote in joint session or by either house on any bill or resolution shall be taken only in public session. On final passage of a bill, including a bill proposing constitutional amendment, or a resolution, the vote cast by each member shall be recorded in the journal of the house of which he is a member.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 281-- By Delegates Gallagher and Bard

A PROPOSAL that Article III, Section 3.12, dealing with Legislative Sessions, shall provide that the General Assembly shall be a continuous body and may divide into two two-year sessions for organizational purposes.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 282-- By Delegate Finch

A PROPOSAL requiring the Legislature to establish review procedures of rules and regulations adopted by State Agencies, and matters generally related thereto.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 283-- By Delegate Sollins

A PROPOSAL that no vote on the final passage of a bill shall be taken until the bill has been printed in final form and until at least five Legislative session days after introduction.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LEGISLATIVE BRANCH.

Delegate Proposal No. 284-- By Delegate Sollins

A PROPOSAL providing for a public hearing on each bill introduced into the State Legislature and that reasonable and adequate notice of each hearing be provided to all interested citizens of Maryland.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 285--By Delegate Finch

A PROPOSAL requiring the Legislature to provide consumers with power to learn full cost and quantity of their purchases and credit.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 286-- By Delegate Hutchinson

A PROPOSAL that college students whose primary domicile is in another area of the State, will not be allowed to vote at the local elections of the community in which the college is located, unless so allowed by the local government.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 287-- By Delegate Finch

A PROPOSAL granting any citizen the right to bring a legal action against the State or its subdivision to restrain unconstitutional expenditure.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 288-- By Delegate Finch

A PROPOSAL requiring a public hearing before creation of any public authority, and matters generally related thereto.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

MOTIONS AND RESOLUTIONS

Resolution No. 12-- By Delegate Wheatley

A RESOLUTION that the Constitution be presented to the voters of the state by Article or other appropriate division and not in its totality and to further provide such necessary statutes to implement varying contingencies which may result therefrom.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

ANNOUNCEMENTS

COMMITTEE ON PUBLIC INFORMATION

Dulany, William B., Chairman
Abramson, Murray
Bard, Harry
Darby, Perry E.
Fornos, Werner H.
Gilchrist, C. William
Hargrove, John R.
Hostetter, E. Ralph
Gleason, James P.
Mitchell, Juanita Jackson
Raley, J. Frank, Jr.
Robey, Frank C., Jr.
Smith, Marvin H.
Sollins, Stanley
Willoner, Ronald

WHICH WAS READ

At 2:25 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Thursday, October 5, 1967 at 2:00 P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Thursday, Oct 5, 1967

The Convention met at 2:00 o'clock P.M.

Invocation was offered by Rev. Halsey M. Cook of Baltimore, Maryland.

Present at the Roll Call were the following delegates:

President, Tawes, Clark J., James, Adkins, Anderson, Armor, Bamberger, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Carson, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Gullett, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Mentzer, Miller E. T., Mitchell, Morgan, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F. C., Robie K. L., Rollins, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sickles, Siewierski, Smith, A. W., Smith J. H., Smith M. H., Sosnowski, Soul, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willoner, Winslow.

Total - 122

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

REPORT OF OTHER STANDING COMMITTEES

Mr. Scanlan, Chairman of the Rules, Credentials and Convention Budget Committee, reported on the Seventh Report of the Committee on Rules, Credentials and Convention Budget introduced October 4, 1967.

ON MOTION OF DELEGATE RYBCZYNSKI, DULY SECONDED, THE REPORT WAS TABLED BY YEAS AND NAYS AS FOLLOWS.

Affirmative

Tawes, Clark J., James, Anderson, Baumann, Beachley, Blair, Boyer, Boyles, Bradshaw, Burdette, Burgess, Buzzell, Byrnes, Child, Clarke E. J., Cleveland, Dabrowski, Finch, Fornos, Frederick, Gleason, Groh, Gullett, Hardwicke, Harkness, Harris, Hickman, Hopkins, Hostetter, Hutchinson, Johnson, Kahl, Key, Kirkland, Kosakowski, Linton, Murphy, Murray D. S., Murray E. C., Neumann, Pascal, Pullen, Ritter, Robey F. C., Robie K. L., Rollins, Rush, Rybczynski, Schloeder, Schneider, Siewierski, Smith A. W., Sosnowski, Soul, Sybert, Taylor H. E., Taylor L., Vecera, Webb, Weidemeyer, Wheatley,

Total - 62

Not Voting

President, Abramson, Bard, Beall, Boyce, Cardin, Case, Chabot, Della, Dorsey, Freedlander, Grumbacher, Hanson, Kiefer, Koss, Maurer, Miller B., Moser, Needle, Rosenstock, Sherbow, Singer, Sollins, Stern, White, Willis.

Total - 26

Negative

Adkins, Armor, Bamberger, Barrick, Bennett, Boileau, Borom, Bothe, Bryson, Bushong, Caldwell, Carson, Cicone, Clagett, Darby, Dukes, Dulany, Eckenrode, Fox, Gallagher, Gilchrist, Gill, Grant, Hargrove, Henderson, Jett, Koger, Litzel, Lord, Macdonald, Malkus, Marion, Mason, Mentzer, Miller E. T., Mitchell, Morgan, Mosner, Mudd, Neilson, Penniman, Peters, Powers, Price, Raley, Scanlan, Sickles, Smith J. H., Smith M. H., Storm, Ulrich, Wagandt, Willoner, Winslow.

Total - 54

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 289 -- By Delegates Bard and Mitchell.

A PROPOSAL that no person shall be deprived of life, liberty or property without due process of law, or be denied the equal protection of the laws, or be subject to discrimination in public service and facilities because of religion, race, color or national origin.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 290 -- By Delegates Schneider, Boileau, Hickman, Kahl, Murphy, Rush, Siewierski.

A PROPOSAL that there be specifically delegated to the Counties the power to establish the offices of Sheriff and County Clerk, to prescribe the functions of such offices, and the manner in which they are to be filled.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 291 -- By Delegate Storm.

A PROPOSAL that essential services provided by businesses affected with a public interest, subject to regulation and the profits of which are regulated by the government, shall provide such services as economically and efficiently as possible, the costs of said services to be tax free.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 292 -- By Delegates Tawes and James.

A PROPOSAL that the State Treasurer shall be elected by the Legislature.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 293 -- By Delegate Gallagher.

A PROPOSAL authorizing the initiative petition procedure whereby groups of voters may submit bills to the General Assembly.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 294 -- By Delegate Gallagher.

A PROPOSAL that a member of the General Assembly shall be elected by the qualified voters of the legislative district from which he seeks election, to serve for a term of four years beginning on the first Wednesday of February following his election.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 295 -- By Delegate Storm.

A PROPOSAL that regulated public service companies and co-operatives shall be exempt from taxation as to their income derived from furnishing public services and as to their property, provided that as to all other property and income, public service companies and co-operatives shall be taxed in the same manner and to the same extent as other privately owned business ventures.

Note: This proposal amends Delegate Proposal No. 222 by adding co-operatives.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 296 -- By Delegate Taylor.

A PROPOSAL that no resident or citizen of the State shall be denied the right to purchase property or goods presented for public sale because of race, color, religion, or national origin.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 297 -- By Delegate Taylor.

A PROPOSAL that no resident or citizen of the State shall be denied the right of access to public facilities or facilities open to the public because of race, color, religion or national origin.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 298 -- By Delegate Storm.

A PROPOSAL that the levying of taxes by the poll is grievous and oppressive, and ought to be prohibited; that paupers ought not to be assessed for the support of the Government; that the General Assembly shall, by uniform rules, provide for the separate assessment, classification and sub-classification of land, improvements on land and personal property, as it may deem proper; and all taxes shall be uniform within each class of land.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 299 -- By Delegates Kirkland, Sosnowski, Blair, and Caldwell.

A PROPOSAL to consider a Coordinating Council of Higher Education which would replace the present Advisory Council to Higher Education.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 300 -- By Delegate Hutchinson.

A PROPOSAL that a Local Government may allow any person to vote so long as its restrictions do not conflict with the minimum requirements for voter qualification.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 301 -- By Delegate Finch.

A PROPOSAL that the freedom to think and the freedom to create shall not be abridged, each person remaining responsible for the abuse of these rights.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 302 -- By Delegate Finch.

A PROPOSAL that every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 303 -- By Delegate Finch.

A PROPOSAL that private property shall not be taken or damaged for public use without just, reasonable and timely compensation. In computing such compensation, consideration shall be given to the fair market value of the property at the time of the taking, including, but not limited to, intangible values, such as appreciation value in the reasonable future and "goodwill" for business enterprises. Any such condemnation proceeding shall be subject to timely notice and public hearings as specified by law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 304 -- By Delegate Finch.

A PROPOSAL that the legislative term shall begin with the calendar year following the election of the members. The Legislature shall convene on the Third Wednesday of January. The legislators-elect shall meet no later than the first Monday after December 1 following their election solely to organize and elect officers for the legislative term following.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 305 -- By Delegate Finch.

A PROPOSAL that records of the state, local governments, public authorities and other public corporations, and all instrumentalities thereof, and records pertaining to pardons and reprieves and remittance of fines and forfeitures, shall be public records open to inspection.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 306 -- By Delegate Finch.

A PROPOSAL that new apportionment standards shall require election districts to be substantially equal in total population, as determined by the Federal decennial census; that the election districts shall be contiguous and compact; and that, wherever practicable, pre-existing political subdivision boundaries and natural geographical boundaries shall be used as district boundaries. Gerrymandering for any purpose is prohibited.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 307 -- By Delegate Finch.

A PROPOSAL that a judge who has reached the mandatory retirement age shall be permitted to continue to hold office if he is certified as being mentally and physically competent.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 308 -- By Delegates Tawes, Clark, James, Anderson, Fornos, Henderson, E. C. Murray, Neilson, Pascal, Sosnowski, Ulrich, Weidemeyer, Abramson, Adkins, Beall, Boileau, Boyce, Bryson, Buzzell, Dorsey, Dukes, Eckenrode, Fox, Frederick, Gallagher, Harris, Hopkins, Hutchinson, Kahl, Leitzel, Malkus, Mason, Maurer, Morgan, Neumann, Robey, Robie, Rollins, Sybert, Vecera, and Wagandt.

A PROPOSAL that Annapolis is the capitol of the State and the meeting place of the legislature. The legislature ought not to be convened, or be held at any other place, but from evident necessity.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

MOTIONS AND RESOLUTIONS

Resolution No. 13 -- By Delegate Malkus.

A RESOLUTION CONCERNING A BUDGETARY REPORT ON THE FINANCES OF THE CONSTITUTIONAL CONVENTION.

RESOLVED BY THE CONSTITUTIONAL CONVENTION OF 1967, That the President of the Convention is directed, within five days after the passage of this Resolution, to give to each Delegate in the Constitutional Convention of 1967 a general summary and report of the monies spent and encumbered to date by the Constitutional Convention;

AND BE IT FURTHER RESOLVED, That the President is directed thereafter to submit to each member of the Convention a similar report at approximately fifteen day intervals; and

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

At 2:53 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Friday, October 6, 1967, at 2:00 o'clock P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Friday, Oct 6, 1967

The Convention met at 2:00 o'clock P.M.

Invocation was offered by Father George B. Moeller of Riviera Beach, Maryland.

Present at the Roll Call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Buzzell, Byrnes, Caldwell, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., *Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F. C., Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Smith A. W., Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

* Mitchell

Total - 135

Delegate James Clark, First Vice President, presided at today's session.

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 309 -- By Delegate Gill.

A PROPOSAL that all final committee votes on all bills in both houses of the General Assembly shall be by individual recorded vote entered in the daily journal of the appropriate house.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 310 -- By Delegate James.

A PROPOSAL entitled Municipal Corporations. Subject to the right reserved to the General Assembly to enact both local and general laws concerning the incorporation, merger, dissolution, and alteration of boundaries of municipal corporations, the General Assembly shall provide by general law for the government of municipal corporations; and it shall permit each municipal corporation to frame and adopt a charter for its own self-government within the limits and by procedures defined by the general law. Municipal corporations existing on the effective date of this Constitution shall retain their charter powers until changed pursuant to the provisions of this section.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 311 -- By Delegate Gill.

A PROPOSAL that a law altering the boundaries of a county shall be enacted only by the affirmative vote of at least three-fifths of all the members of each house, and shall be subject to affirmative action by a majority of the registered voters voting in each of the affected counties.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 312 -- By Delegates Mitchell and White.

A PROPOSAL that the right to vote in any election or on any question submitted to the electorate in the state, counties, municipalities or other political subdivisions shall not be abridged on account of religion, race, color, sex, or economic circumstance.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 313 -- By Delegate Gallagher.

A PROPOSAL entitled Special Legislation that the legislature shall pass no special or local act when a general act is applicable, and whether a general act is applicable shall be a matter for judicial determination.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 314 -- By Delegate Gill.

A PROPOSAL that the State of Maryland shall begin an orderly and progressive transition from the policy of incurring long-term indebtedness to financing all expenditures on an annual basis.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 315 -- By Delegate Gill.

A PROPOSAL that the Governor's budget shall be enacted by both houses of the General Assembly fourteen days before the conclusion of the regularly scheduled session.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 316 -- By Delegate Gill.

A PROPOSAL that the appropriate standing committees of the Senate and House of Delegates shall meet jointly throughout the year to consider the Governor's budget.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 317 -- By Delegate Gill.

A PROPOSAL that no new legislation be introduced during the last nine days of the regular session of the General Assembly.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 318 -- By Delegate Finch.

A PROPOSAL requiring the General Assembly to provide for continuity of government in the event of a major disaster or major enemy attack.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 319 -- By Delegate Boyer.

A PROPOSAL that the Constitution contain a provision dealing with the adoption by the State of the Common Law of England, such of the English Statutes which are applicable to local circumstances, the Acts of Assembly which are appropriately enforceable and entitling the citizens of Maryland to all property derived by charter from the King.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 320 -- By Delegate K. L. Robie.

A PROPOSAL that the members of each board or commission which serves as the head of a principal department, except the governing board of an institution of higher education and the State public school system, shall be appointed by the Governor and their terms of office shall be prescribed by law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 321 -- By Delegate Finch.

A PROPOSAL that Amendments to this Constitution may be proposed either by the affirmative vote of three-fifths of all the members of each house of the General Assembly of two successively elected Legislatures, or by a majority of all the members of a Constitutional Convention called by the General Assembly. In either case, the proposed amendment shall be submitted to the voters of the State at a special or General election as determined by the General Assembly.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 322 -- By Delegate Finch.

A PROPOSAL that any attempt to interfere with any law enforcement officer's investigation shall be reported, within 24 hours following such attempt, to the Attorney General or to the local State's Attorney.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 323 -- By Delegate Finch.

A PROPOSAL that the General Assembly may enact legislation to renew and rebuild communities, to design and develop new communities, programs and facilities to enhance the physical and economic environment, health, welfare, social well-being and development of the people of the State, and to encourage the expansion of economic opportunity for all.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 324 -- By Delegate Finch.

A PROPOSAL that the State furnish necessary medical attention and mental and physical rehabilitation for all State citizens, who are financially and economically incapable of paying for such services.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 325-- By Delegate Finch.

A PROPOSAL that State, county, or local governments, or any other public corporation may grant to any private person, association, organization or corporation, in any year or annyally thereafter, by contract or by loan, its money for economic, social and community development; the proceeds of such loans shall be used only for capital expenditures.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

MOTIONS AND RESOLUTIONS

Resolution No. 14-- By Delegate Malkus.

A RESOLUTION CONCERNING THE APPOINTMENT OF AN HISTORIAN FOR THE CONSTITUTIONAL CONVENTION.

WHEREAS:

Chapter 4 of the Acts of the General Assembly of 1967, which made provision for the holding of this Constitutional Convention, provided in Section 12 that "the Convention shall appoint a historian whose duty it shall be to collect, compile, document and perserve all proceedings of the Convention and of its several committees."

* * *

BE IT RESOLVED BY THE CONSTITUTIONAL CONVENTION OF 1967, That the President of the Convention is requested promptly to notify the Delegates to the Convention of what progress has been made in the appointment of an historian to the Convention; and

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

At 2:22 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Monday, October 9, 1967, at 4:00 o'clock P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND

JOURNAL OF PROCEEDINGS

Annapolis, Maryland
Monday, Oct. 9, 1967

The Convention met at 4:00 P.M.

Invocation was offered by Reverend Richard O. Satchell, of
Lutherville, Maryland.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Anderson,
Armor, Bamberger, Bard, Baumann, Beachley, Beall, Bennett,
Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw,
Bryson, Burdette, Burgess, Buzzell, Byrnes, Caldwell, Cardin,
Carson, Case, Chabot, Child, Cicone, Clagett, Clarke, E.J.,
Cleveland, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode,
Finch, Fornos, Fox, Frederick, Freedlander, Gallagher,
Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett,
Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman,
Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key,
Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton,
Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer,
Miller. B., Miller. E.T., Mitchell, Morgan, Moser, Mosner,
Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson,
Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen,
Raley, Ritter, Robey F.C., Robie K.L., Rosenstock, Rush,
Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles,
Siewierski, Singer, Smith A.W., Smith J.H., Smith M.H.,
Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H.E.,
Taylor L., Ulrich, Vecera, Wag andt, Webb, Weidemeyer,
Wheatley, White, Willis, Willoner, Winslow. Total - 136.

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda,
reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY A VOICE VOTE.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

The President announced that Delegate Proposal No. 47 was re-
ferred to the COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 326 - By Delegates Gallagher and Gilchrist.

A PROPOSAL providing for the slot system of election in multi-member districts.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 327 - By Delegate Finch

A PROPOSAL that the General Assembly shall not enact an ex post facto law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 328 - By Delegate F.C. Robey

A PROPOSAL that the Constitution provide for a separate Article concerning the establishment of a Classified State Civil Service and matters generally relating thereto.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 329 - By Delegate Finch

A PROPOSAL that the State, or political subdivisions thereof, may make outright grants, or loan monies by contract or agreement, to State or local authorities for, but not limited to, housing, urban and community renewal projects, and social and recreational purposes.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

ADJOURNMENT

At 4:20 P.M., on motion of Mr. Powers, duly seconded, the Convention adjourned until Tuesday, October 10, 1967, at 2:00 P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND

JOURNAL OF PROCEEDINGS

Annapolis, Maryland
Tuesday, Oct. 10, 1967

The Convention met at 2:00 o'clock P.M.

Invocation was offered by William F. Murdock of Lansdowne, Maryland.

Present at roll call were the following delegates:

President, Tawes, James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Burgess, Buzzell, Byrnes, Cardin, Carson, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F. C., Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total -- 134

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY A VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Scanlan, Chairman of the Committee on Rules, Credentials and Convention Budget reported:

A REPORT ON RESOLUTION NO. 3.

The Committee on Rules, Credentials and Convention Budget has considered Resolution No. 3 introduced by Delegate Malkus

on September 20, 1967. The Resolution concerns both budgetary and financial affairs of the Convention, as well as matters relating to public information. The Committee is of the opinion, and Delegate Malkus agrees, that under Rule 47 of the Rules of the Convention the questions raised by Resolution No. 3 are divisible. Accordingly, the Committee requests that that portion of Resolution No. 3 which pertains to public information be returned to the presiding office of the Convention with the recommendation that it be referred to the Committee on Public Information. The Committee also wishes to advise that Delegate Malkus has informed the Committee that he regards those parts of Resolution No. 3 which pertain to budgetary matters to be superseded by Resolution No. 13 which he introduced on October 5, 1967, and which the Committee on Rules now has under consideration.

The Committee on Rules, Credentials and Convention Budget recommends that Resolution No. 3 be divided and that the part thereof which relates to public information matters be returned to the President to be referred to the Committee on Public Information.

THIS REPORT WAS RECEIVED AND REFERRED TO THE COMMITTEE ON PUBLIC INFORMATION.

INTRODUCTION AND FIRST READING
AND REFERENCE OF PROPOSALS

Delegate Proposal No. 330-- By Delegate Scanlan

A PROPOSAL that the style of every law of this State shall be, "Be it enacted by the General Assembly of Maryland"; and the General Assembly shall enact no law except by bill. Every law enacted by the General Assembly shall embrace only one subject, which shall be described in its title, except that legislative compliance with this requirement shall be a constitutional responsibility not subject to judicial review. It shall be the duty of the General Assembly, in reviving or amending any article or section of the code or law of this State to enact the article, section or law as it would read when revived or amended.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 331-- By Delegates Bennett, Hardwicke, L. Taylor, Beachley, White, Miller, Chabot, and Pullen.

A PROPOSAL that the inalienable rights to life, liberty, and to the pursuit of happiness shall be construed as entitling every individual to such reasonable standards of subsistence, educational opportunities and medical attention as shall from time to time be prescribed by law, and it shall be the imperative obligation of the state to make provision for their implementation.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 332-- By Delegates Tawes and James

A PROPOSAL establishing the Board of Public Works, composed of the Governor, the Comptroller and the Treasurer, which Board shall have such powers as shall be vested in it by law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 333-- By Delegate Maurer

A PROPOSAL entitled Due Process that no person shall be deprived of life, liberty or property without due process of law, or be denied the equal protection of the laws, or be subject to discrimination by law or other governmental action because of religion, race, color or national origin. The right of all persons to fair and just treatment in the course of legislative and executive investigations and administrative hearings shall not be infringed.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 334-- By Delegate Powers

A PROPOSAL that the minimum age for voting be twenty-one years unless an earlier age is established by law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 335-- By Delegate Maurer

A PROPOSAL that records of the state, of local governments, public authorities, public corporations and all instrumentalities thereof, shall be public records open to inspection unless otherwise provided by law to protect individual rights and to determine the time and manner in which information will be made available.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 336-- By Delegate White

A PROPOSAL that no citizen's rights shall be abridged because of political affiliation or belief.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 337-- By Delegate Maurer

A PROPOSAL establishing a system of personnel administration in which the merit system will govern the appointment and promotion of employees.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 338-- By Delegate Maurer

A PROPOSAL that Section 4.18 of Article IV of the Constitution dealing with the Executive Branch shall provide for the Organization of Principal Departments.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 339-- By Delegate Gill

A PROPOSAL to provide for equality of access to information.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 340-- By Delegate Kirkland

A PROPOSAL providing for a bicameral legislature, the composition of the legislature, 142 delegates and 43 senators, and matters generally relating thereto.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 341-- By Delegates Kirkland and Sosnowski

A PROPOSAL for a statewide system of public higher education governed by Boards of Control established by statute and coordinated by a State Advisory Council for Higher Education.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

ADJOURNMENT

At 2:30 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Wednesday, October 11, 1967 at 2:00 P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Wednesday, Oct. 11, 1967

The Convention met at 2:00 o'clock P.M.

Invocation was offered by Father Robert A. Bozel of Riviera Beach, Maryland.

President at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyer, Bradshaw, Bryson, Burdette, Burgess, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F. C., Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

Total--138

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

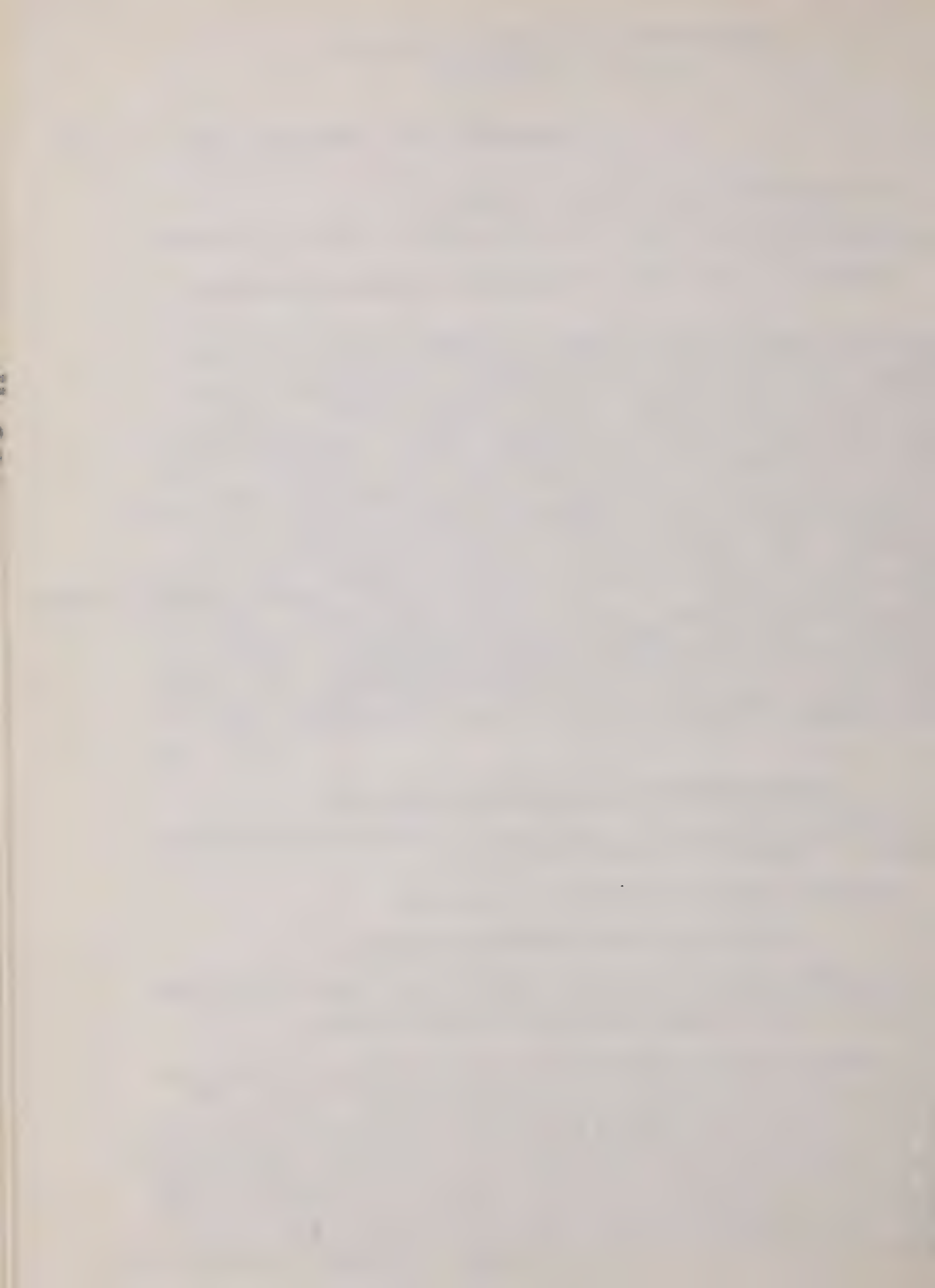
Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Scanlan, Chairman of the Committee on Rules, Credentials, and Convention Budget, reported Committee Report No. 9 by the Committee on Rules, Credentials, and Convention Budget.

A report regarding Resolution No. 8, introduced on September 27, 1967; Resolution No. 9, introduced on October 2, 1967; and Resolution No. 11, introduced on October 3, 1967. All three resolutions deal with proposed procedural requirements in connection with the introduction of delegate proposals and their consideration by substantive committees. The sponsors of the three resolutions were given the opportunity to appear before the Committee on Rules to explain their proposals. For the reasons stated in this ninth Report, the Committee on Rules reports unfavorably with respect to Resolutions Nos. 8 and 11, and recommends that these two resolutions



not be adopted by the Convention. The Committee, however, reports favorably and recommends the adoption of Resolution No. 9, with one amendment as to date, noted below.

* * *

The solution preferred by your Committee is to impose a cutoff date on operation of the requirements of Rule 27. That Rule now provides:

"A Committee shall notify all delegates who have introduced proposals on the same subject matter of the time and place where they may meet with the committee to explain such proposals, and the notice required by this rule shall be given at least twenty-four hours before the committee takes final action."

It is your Committee's recommendation that the Rule be amended by adding a new last sentence at the conclusion of Rule 27 to read as follows:

"The requirements imposed by this rule shall not be applicable with respect to delegate proposals introduced after October 27, 1967."

The amendment recommended is identical with the proposals set forth in Resolution No. 9, except that that resolution suggested October 23, 1967, as the cutoff date. This was amended by your Committee to read in the form now proposed.

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON CALENDAR AND AGENDA.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 342 -- By Delegate Gallagher.

A PROPOSAL that Section 3.02 of Article III, Legislative Branch, provide for legislative districts that are "substantially equal" rather than "nearly equal as practicable."

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 343 -- By Delegate Gallagher.

A PROPOSAL that Section 3.03 of Article III, Legislative Branch, provide for a bi-partisan reapportionment commission.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 344 -- By Delegate Gallagher.

A PROPOSAL that Section 3.03 of Article III, Legislative Branch, provide for legislative origination of re-apportionment plans.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 345 -- By Delegate Weidemeyer.

A PROPOSAL that the Legislative, Executive, and Judicial powers of Government shall be forever separate and distinct from each other; and no person exercising the functions of one of said Departments shall assume or discharge the duties of any other Department, but in enacting laws providing for the establishment, maintenance or conduct of administrative agencies, boards, and commissions, which agencies, within themselves, exercise both the functions of law enforcement and judicial or quasi-judicial determinations, the legislature shall provide for due process and judicial review.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 346 -- By Delegate Beatrice Miller.

A PROPOSAL that candidates for the General Assembly shall make a full disclosure of their business and professional interests and associations.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 347 -- By Delegate Beatrice Miller.

A PROPOSAL entitled Qualifications of Legislators that to be eligible as a senator or delegate, a person shall be a qualified voter of the State of Maryland and shall have been a resident of the State for at least two years immediately preceding his election or appointment. Nor shall he or any agency or partnership in which he is involved represent a client for a fee before any state agency excepting the courts during his term of office. To be eligible as a senator, a person shall have attained the age of twenty-five years, and, to be eligible as a delegate, he shall have attained the age of twenty-one years, at the time of his election or appointment.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 348 -- By Delegate Beatrice Miller.

A PROPOSAL entitled Referendum Petition that a petition shall be sufficient to refer a law to a vote of the people if signed by qualified voters equal to ten per cent of the total number of votes cast for Governor in the most recent gubernatorial election, provided that not more than one-fourth of required number shall be voters residing in any one county.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 349 -- By Delegates Bothe, Burgess, Dukes, and Bamberger.

A PROPOSAL that the Declaration of Rights provide for the release upon surety of an accused awaiting trial, and that no person shall be imprisoned because of indigence, nor bail set for a punitive purpose.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 350 -- By Delegates Marion, Schloeder, Singer, Sollins, and Fox.

A PROPOSAL that the members of the General Assembly shall receive an annual salary which shall not be less than one-third nor more than one-half of the annual salary of the Governor.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 351 -- By Delegates Beatrice Miller and Sollins.

A PROPOSAL that the Constitution shall not prohibit the General Assembly from amending the budget bill submitted by the Governor in any manner.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 352 -- By Delegate Hanson.

A PROPOSAL to establish a Commission on Intergovernmental Relations appointed by the Governor to determine local boundary disputes, recommend actions on intergovernment problems, and provide state agencies and local authorities with advice and technical assistance.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 353 -- By Delegate Harris.

A PROPOSAL that there shall be an Attorney for the State in each county, and the City of Baltimore, to be styled "The State's Attorney," who shall be elected by the voters on a nonpartisan basis for a term of six years.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 354 -- By Delegate Johnson.

A PROPOSAL that the Judicial Article include provisions for Commissioners; appointments for Appellate Courts; appointments for Trial Courts, administrative functions of Chief Justice, and Clerks of Court.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 355 -- By Delegates Sybert, Armor, Carson, Cicone, Fornos, Harris, Pullen, Robie K., Rollins, Stern, Vecera, Willis, Wheatley.

A PROPOSAL providing for a Comptroller of the Treasury, eligibility qualifications for election and matters generally relating thereto.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

MOTIONS AND RESOLUTIONS

Resolution No. 15 -- By Delegate Beatrice Miller.

A RESOLUTION that each committee give consideration to the merits of substantive issues before it.

WHEREAS, this Convention being necessarily divided into committees according to the Articles of a Constitution; and

WHEREAS, by nature such division is arbitrary and based on precedent, in this case the Commission Draft Constitution; and

WHEREAS, in the search for the best thinking of the delegates, idea proposals have been solicited and encouraged; and

WHEREAS, these proposals may possibly encompass new substantive issues not previously considered by the Commission: now, therefore, be it

RESOLVED that all proposals to be laid before a committee be considered on the basis of intrinsic merit and substance, rather than appropriateness of assignment; and be it further

RESOLVED, that if the Convention should deem such a proposal worthy of consideration and approval, it be assigned to the Committee on Style, Drafting and Arrangement for inclusion in its proper place in the new Constitution; and be it further

RESOLVED, that a copy of this declaration be sent to the Chairman of each committee.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

At 2:31 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Thursday, October 12, 1967, at 2:00 o'clock P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Thurs., Oct. 12, 1967

The Convention met at 2:00 o'clock P.M.

Invocation was offered by Rev. John A. Grant, St. Andrews
Episcopal Church, Pasadena, Maryland.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor,
Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair,
Boileau, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette,
Burgess, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot,
Child, Cicone, Clagett, Clarke E.J., Cleveland, Dabrowski, Darby,
Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick,
Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh,
Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harris, Henderson,
Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key,
Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord,
Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B.,
Miller E.T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murrav D.S.,
Murray E.C., Needle, Neilson, Neumann, Pascal, Penniman, Peters,
Powers, Price, Pullen, Raley, Ritter, Robey F.C., Robie K.L.,
Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider,
Sherbow, Sickles, Siewierski, Singer, Smith A.W., Smith J.H.,
Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert,
Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer,
Wheatley, White, Willis, Willoner, Winslow. Total--139

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda,
reported the daily calendar and agenda.

On motion of Delegate Scanlan the calendar was amended to in-
clude consideration of Resolution No. 11. (which had been withdrawn)
under item 6A. Delegate Scanlan explained that the sponsor of
Resolution No. 11 had requested that it be considered.

WHICH WAS READ AND ADOPTED AS AMENDED BY VOICE VOTE.

The President introduced the Honorable Alfred E. Driscoll,
former Governor of New Jersey, who addressed the Convention.

GOVERNOR DRISCOLL: Mr. President, ladies and gentlemen of the
Convention, you are engaged on a historic assignment. You are
engaged in the task of Constitution making at a time when the world

is beset with doubts, misunderstandings, preoccupied with the clash of apparently conflicting opinions.

Nonetheless, the future of our Federal system is largely dependent upon the virility of component parts, namely, the 50 States. It may be said of you that you have, when your work is concluded, deserved the favorable opinion of your fellow citizens. Based upon my own experience in 1947, when our Convention began in June, in no small measure was the success of the Convention due to the fact that citizens of great importance and great dignity and great integrity hammered out a Constitution that their fellow citizens recognized was not one of compromise but one based upon their beliefs, their convictions.

It is easy sometimes to weaken in the presence of pressure. There will be pressures, I am sure. But the path that follows that of conviction and integrity is the path that leads to success. It is hardly necessary to emphasize the far-reaching importance of the work you have undertaken.

The American people, foremost among the world's populations in their veneration of a written Constitution, look upon a constituent assembly chosen for the specific purpose of making a Constitution as an expression of basic sovereignty.

The making of a modern Constitution is a difficult process, the more so when we seek agreement upon the complex issues of modern society in a popularly elected assembly such as yours.

The course of your work will undoubtedly be trying. It will test your capacity for statesmanship. It is part of our tradition, however, and a valuable tradition it is, that when we revert to fundamentals in government, we look to the highest form of representative democracy as well as the ultimate consent of the governed, expressed through the process of free elections.

I am sure that your fellow citizens expect a great work from you. While your state has lived under its present Constitution, I am told, for a considerable period of time, I know from my own experience they are now looking for something better, not changed for the purpose of change alone, but changed for the purpose of bringing your fundamental doctrine in line with modern society and capable of permitting your representatives, be they in the Judiciary, the Executive Branch of the government, to better cope with those issues.

It is your task to appraise the forces that are for and against this and that issue. It is your task as I see it to develop a Constitution that may very well exist for another hundred years, even though I would recommend that provision be made for the calling of a Constitutional Convention periodically at regular intervals, so that an audit may be made of your basic document. This provision might very well include calling of such a Convention by the Legislature and in the absence of the Legislature calling the Convention, then having the Governor call it.

I would hope that you would strive for a simple Constitution, one that more nearly follows the line of the Constitution adopted by that great Convention in Philadelphia so many years ago. It should be flexible. It should in my judgment strengthen each branch of the government.

In the course of your debates, you will on many occasions be tempted to adopt legislation. You will be wise to guard against this natural temptation by the judicious and conscientious exercise of that statesmanship to which I have referred. You will need will power.

The State Constitution is an organic document, a basis for government. It should not be a series of legislative enactments.

If you put too much legislation into the Constitution, the end result will be frustration. When legislation is permitted to be put into a Constitution, it frequently shackles one branch of the government or another branch of the government.

To quote one authority, the more precise and elaborate the provisions of the Constitution, the greater are the obstacles to the reform of abuses. Litigation thrives on constitutional verbosity.

There is a way out of the dilemma. I suspect from what I have heard today here in Annapolis that you have already wisely chosen that way. That is, when in your judgment a proposal is legislative in character, that there be a presentment to the Governor with the understanding the Governor in turn will submit the proposals contained in the presentment to the Legislature for their consideration. It has worked well for us in New Jersey and we had a number of presentments. The result was we came out with one of the shortest Constitutions of all the Constitutions in the country, approximately 10,000 words.

I would like to touch on the three branches of government briefly and I am certainly not, I hope you will understand this, not presuming to pose as an authority, although the task of Constitution-making is near and dear to my heart, not only as a former Governor, but as President of the National Municipal League, which has been developing model Constitutions over the years.

The Legislative Branch of the Government. Appropriate terms should be established for the Legislative Branch of the government so they are not running all the time. We have the unenviable record of having our House of Assembly, our lower House, running every year. So that you can imagine where their minds were when the Governor was trying to get a program through. They were wondering not whether the program was a good program, but how the people back home would think about the program and would they have an opportunity to educate the people to the point where they would support it? We lengthened the term of our House of Assembly and we lengthened the term of our Senators. We also lengthened the term of the Governor.

While I am talking about elections, I might say that we decided that we would not have the Governor elected in a year in which a President was to be selected, because in a Presidential year the issues are likely to be largely Federal in character and state issues become submerged and are not given the thoughtful attention which they frequently deserve.

We were of the opinion that this would be a good idea and it was such a good idea that a person other than my own party succeeded me because he didn't have to run when Eisenhower ran.

The duty confronting you today is not unlike that confronting the authors of the Declaration of Independence as explained by Thomas Jefferson in a letter to Henry Lee. The important task, Jefferson wrote, was not to find out new principles or new arguments never before thought of, not merely to say things which had never been said before, but to place before mankind the common sense of the subject in terms so plain and firm as to command their consent.

So while you strengthen the Legislative Branch by giving it appropriate terms, so also it seems to me that as a believer in a strong Governor, that you should strengthen the position of the Governor.

There is one particular proposition that I touched upon when I appeared before the Committee this morning that I would like to touch upon again. We had not only the traditional checks and balances, but we had checks and balances within the Executive Branch of our government under the old Constitution. This gave the Governor a good alibi. He could say, well, I didn't appoint him and I am not responsible for him. He was either elected by the people or he was elected by a joint session of the Legislature.

It seems to me a Governor has a right or should have a right to appoint the heads of the various departments with perhaps certain rare exceptions where it may be desirable for the Governor to appoint a board and have the board appoint the head of the department if it is a professional department, that appointee being subject to the approval of the Governor.

Although in New Jersey the Governor appointed the Commissioner of Education, it should certainly be a nonpolitical appointment. I was happy that the man I appointed Commissioner of Education was reappointed by two of my successors.

We have in our Constitution a conditional veto. This has been of tremendous help both to the legislature and to the Governor. Because frequently the purpose of a bill is a good one. Due to faulty draftsmanship, the Governor in the absence of a conditional veto must either veto it outright because it is faulty in part or with tongue in cheek approve it hoping that in due course the Legislature will amend it.

We also have a provision which I commend to you for your consideration. The Legislature comes back automatically after forty-five days after adjourning sine die to consider veto messages. To the extent it was humanly possible for us to do so on the basis of the then available knowledge, we eliminated the vest pocket veto, and the Governor had to accept up to every issue and say yes, I am going to sign the bill or no, I am not going to sign the bill and this is the reason I am not going to sign the bill or I am sending the bill back with a conditional veto and if you will incorporate the following, spelled out in the veto message, I will probably sign it.

In New Jersey our greatest problem was the problem of the judiciary. We had every known court that you could think of. We were one of the last states to give up the Court of Chancery that we had inherited from our mother country. It can be said justice delayed is justice denied and in New Jersey it was possible to delay justice for a very long time while appeals were taken from one court to another.

We had the Court of Errors and Appeals which was higher than the Supreme Court for which provision was made for lay judges on the Court of Errors and Appeals, this being the Court of Last Resort, sometimes referred to as the Court of Errors and No Appeals. This was a check, you see, within the judicial system. These laymen were going to see to it that the lawyers did justice even though they might not know very much law.

We had a system whereby these lay judges could practice law even while sitting on the top court. We had one instance in my early days where a judge, lay judge, wrote an opinion, he being a lawyer, and then appeared before a common pleas judge down at the bottom of the ladder and cited his own decision as being conclusive evidence of the fact the case should be decided in favor of his client. Needless to say that went out the window.

Many of the courts that we had were discontinued, including justices of the peace. I might add we had thousands of justices of the peace and there were people who said that if you meddle with the justices of the peace, you are going to have a tremendous following against the Constitution. Well, it didn't work out that way. It didn't work out that way because the citizens of New Jersey back in 1947 were convinced that these delegates that had worked through one long, hottest summer ever had studied the whole proposition thoroughly and had the courage of their convictions and that they must be right or they wouldn't have made the proposals.

One change we did not make that I think we should have made -- we continued county courts even though the Chief Justice, through his Administrative Assistant, had authority to confer upon the county courts the jurisdiction of superior courts and to have them hear cases in counties other than their own, where the docket was over crowded. In retrospect I think it would have been better had we simply had district courts for minor municipal matters and one superior court system with a Supreme Court and let it go at that.

Well, I am sure you have your mind on the ball game and I have talked longer than I was told I should talk.

I might add I received the invitation to address this august body about 3 o'clock yesterday afternoon when I was in the middle of a lot of busy appointments.

I am sure it can be said of you that you will so conduct yourselves so that it will be said of your work, as James Madison said of the work of the Convention in Philadelphia in 1787, whatever may be the judgment pronounced on the competency of the architects of the Constitution, or whatever may be the destiny of the edifice prepared by them, I feel it a duty to express my profound and solemn conviction derived from my intimate opportunity of observing and appreciating the views of the Convention collectively and individually there never was an assembly of men charged with a greater and more arduous trust who were more pure in their motives or more exclusively or more anxiously devoted to the object committed to them to best secure permanent liberty and the happiness of their country.

The rights you exercise were on in 1776 and have been protected in memorable struggles through the years. The fight for liberty, however, must be won anew each day and the contest for good government waged during the days of peace is no less important than the battle waged in the heat of armed conflict.

In a way, I envy you. I wish I could join you. Yours is a great opportunity, a great challenge. I know that the product of your work will be respected by all. Thank you very much.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Scanlan, Chairman of the Committee on Rules, Credentials and Convention Budget, reported on Committee Report No. 9, presented to the Convention on October 11, 1967.

Delegate Scanlan advised the Convention that the Report deals with two resolutions (originally three) but that Resolution No. 8 has been withdrawn by its sponsor.

After explanation of the Report, Delegate Scanlan moved, duly seconded, for the adoption of the amendment as in the Report to substitute the date of October 27th for the original date of October 23rd in Resolution No. 9.

MOTION TO AMEND CARRIED BY VOICE VOTE.

The question was then put by the Chair to adopt Resolution No. 9 as amended.

RESOLUTION NO. 9 AS AMENDED WAS ADOPTED BY ROLL CALL VOTE AS FOLLOWS:

Affirmative

Delegates--

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Burgess, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harris, Henderson, Hickman, Hopkins, Hostetter, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F. C., Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Winslow.

Total--134

Negative

Delegates--
Hutchinson.

Total--1

Not Voting

Delegates--

Baumann, Boyles, Bushong, Dukes, Harkness, Sosnowski, Willoner.

Total--7

The President then put the question on the adoption of Resolution No. 11, notwithstanding the unfavorable report of the Committee.

The roll was then called. RESOLUTION NO. 11 WAS REJECTED AS FOLLOWS:

Affirmative

Delegates--

Burgess, Clarke E. J., Dabrowski, Finch, Grumbacher, Koger, Malkus, Mentzer, Miller B., Taylor L., Vecera, Weidemeyer.

Total--12

Negative

Delegates--

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Cleveland, Darby, Della, Dorsey, Dulany, Eckenrode, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Gullett, Hanson, Hardwicke, Hargrove, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Marion, Mason, Maurer, Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F. C., Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Soul, Stern, Sybert, Taylor H. E., Ulrich, Wagandt, Webb, Wheatley, Willis, Willoner, Winslow.

Total--120

Not Voting

Delegates--

Baumann, Boyles, Bushong, Dukes, Fornos, Fox, Harkness, Sosnowski, Storm, White.

Total--10

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 356 -- By Delegates Sherbow and Case at the Request of the Committee on State Finance and Taxation.

A PROPOSAL that the State shall value property according to a uniform method or methods for purposes of determining property tax assessments and the share of governmental units in any distribution of funds based in whole or in part on such assessments.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 357 -- By Delegates Caldwell, Blair, Key, and Ritter.

A PROPOSAL that the General Assembly shall by law establish disqualifications for voting by reason of mental incompetence or conviction of serious crime, and may provide for the removal of such disqualifications.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 358 -- By Delegates Carson, James, Peters, Rollins, Sybert, and Willis.

A PROPOSAL that until changed in accordance with the provisions of this Constitution, all law in effect in this State immediately prior to the adoption of this Constitution, regardless of the source thereof, shall remain in effect unless inconsistent with the provisions of this Constitution.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 359 -- By Delegates Carson, James, Peters, Rollins, Sybert, and Willis.

A PROPOSAL for Article VII entitled Local Government including Counties -- definition, alteration of boundaries, instrument of government, powers of; Municipal Corporations -- definition, alteration of boundaries, charter, powers of; Regional Government and Intergovernmental Authorities -- establishment by General Assembly, financing of intergovernmental authorities; and Cooperative Agreements.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 360 -- By Delegates Case, James, Rollins, and Willis.

A PROPOSAL that the budget bill shall become law when passed by both houses of the General Assembly and shall not be subject to veto by the Governor. If the budget bill shall not have been finally acted upon by the General Assembly ten days before the expiration of its regular session, the Governor shall issue a proclamation extending the session until the passage of the budget bill and ten days thereafter. After such proclamation no other legislation, except provision for the cost of the extended session, can be finally passed by the General Assembly until the budget bill has been enacted.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 361 -- By Delegate Lloyd Taylor.

A PROPOSAL that provides for the restoration of the right to vote one year after having served sentence for conviction of a crime which results in disenfranchisement.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 362 -- By Delegate Anderson.

A PROPOSAL that the new Constitution include the provisions of Article XVI, Sections 1-6 inclusive of the present Constitution dealing with referendum.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 363 -- By Delegates Hanson and Sollins.

A PROPOSAL to provide among the General Provisions of the Constitution a Commission on Salaries for Constitutional officers.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 364 -- By Delegate Wheatley.

A PROPOSAL that the Constitution provide for a defined and expanded relationship between the General Assembly and the Governor in the preparation of the state budget which would allow the General Assembly to obtain more adequate information in this formative stage prior to the Governor's budget message.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

At 3:03 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Friday, October 13, 1967, at 2:00 o'clock P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Friday, Oct. 13, 1967

The Convention met at 2:00 o'clock P. M.

Invocation was offered by Rev. Robert E. Mitzel, Emory Methodist Church, Ellicott City, Maryland.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F. C., Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

Total--138

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

The President rereferred Delegate Proposals No. 216 to the Committee on Suffrage and Elections, and No. 279 to the Committee on the Legislative Branch.

Delegate Proposal No. 365 -- By Delegate Gilchrist.

A PROPOSAL entitled Compensation of Legislators that the members of the General Assembly shall receive salary not less than Six Thousand Five Hundred Dollars per annum. The President

of the Senate and Speaker of the House shall each receive an additional salary equal to one half of the base salary prescribed by law, and the General Assembly may prescribe by law for the payment of additional salaries to chairmen of committees of each house.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 366 -- By Delegate Frederick.

A PROPOSAL that no political party or candidate for State office may expend funds in a general election from sources other than those provided by the State budget, such sum not to exceed the total combined salaries of all such State elected officials.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 367 -- By Delegates Gallagher and Bard.

A PROPOSAL that each house shall keep a current, daily journal of its proceedings which shall be open to public inspection at all times and shall be published as soon as practicable. No bill shall be enacted nor shall a resolution requiring the action of both houses be adopted, unless it is passed in each house by a majority of all the members of that house present and voting. A vote in joint session or by either house on any bill or resolution shall be taken only in public session. On final passage of a bill, including a bill proposing constitutional amendment, or a resolution, the vote cast by each member shall be recorded in the journal of the house of which he is a member.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 368 -- By Delegate Gallagher.

A PROPOSAL that the effective date of Acts of the General Assembly shall be July 1, unless an Act shall designate a different date and be passed by a three-fifths vote of each house.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

MOTIONS AND RESOLUTIONS

Resolution No. 16 -- By Delegates Bard, Bamberger, Gilchrist, Gill, and Sollins.

WHEREAS, many proposals that have been submitted at this Convention are not matters which should be dealt with in the Constitution, yet have value as legislative ideas; and

WHEREAS, these ideas should be explored by the Maryland General Assembly for possible legislation on rules; and

WHEREAS, some states including New Jersey have found that such procedures are valuable tools in capturing ideas leading to important progress on the part of the state, therefore, be it

RESOLVED, that the Committee on Rules, Credentials, and Convention Budget prepare procedures whereby legislative ideas might be presented to the Governor at the end of the Convention's deliberations for submission to the next session of the General Assembly.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

Delegate Fornos moved, duly seconded, that the Convention meet on Friday, October 27, 1967.

THE MOTION FAILED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Delegates--

Clark J., Bamberger, Boileau, Boyles, Finch, Fornos, Freedlander, Gill, Henderson, Hostetter, Lord, Marion, Needle, Neilson, Pascal, Robey R. C., Siewierski, Singer, Sollins, Ulrich, White.

Total--21

Negative

Delegates--

President, Tawes, James, Abramson, Adkins, Anderson, Armor, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Burgess, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Frederick, Gallagher, Gilchrist, Gleason, Grant, Groh, Grumbacher, Gullett, Hardwicke, Harkness, Harris, Hickman, Hopkins, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Koger, Kosakowski, Koss, Leitzel, Linton, Macdonald, Malkus, Mason, Maurer, Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Neumann, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Smith, A. W., Smith J. H., Smith M. H. Sosnowski, Soul, Stern, Storm, Sybert, Taylor, H. E., Taylor L., Vecera, Wagandt, Weidemeyer, Wheatley, Willis, Willoner, Winslow.

Total--112

Not Voting

Delegates--

Bushong, Fox, Hanson, Hargrove, Kirkland, Mentzer, Miller B., Murray E. C., Webb.

Total--9

At 2:33 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Monday, October 16, 1967, at 4:00 o'clock P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Mon., Oct. 16, 1967

The Convention met at 4:00 o'clock P.M.

Invocation was offered by Rev. William Fleming of Baltimore, Md.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke F.J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Glichrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller E., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F.C., Robie K.L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A.W., Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total--139

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

INTRODUCTION AND FIRST READING AND
REFERENCE OF PROPOSALS

Delegate Proposal No. 369-- By Delegates Barrick, Grant, Macdonald, Moser, Ulrich.

A PROPOSAL that Article VII, Local Government, shall include provisions concerning powers of counties, and general application of laws.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 370-- By Delegate Clagett

A PROPOSAL that Article VII, Local Government, shall include

provisions concerning power of counties, classification of counties based on population and general application of laws.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 371-- By Delegates Gallagher, Bard, Sickles and Boyce

A PROPOSAL entitled Conditional Veto

That the Governor may return a bill once to the General Assembly with recommendations for amendment.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 372-- By Delegates Caldwell and K. Robie

A PROPOSAL entitled HIGHER EDUCATION

That there shall be the University of Maryland, the state colleges and other institutions of higher education which shall be managed and governed by boards appointed by the Governor.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 373-- By Delegates M.H. Smith, J.H. Smith and Henderson

A PROPOSAL that the office of Sheriff be continued as elective through 1974 and that the Sheriff hold office hereafter and have such duties as provided by law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 374-- By Delegate Raley

A PROPOSAL that the General Assembly shall have the power, to establish limited forms of town or city government.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 375-- By Delegate Raley

A PROPOSAL that the General Assembly shall set minimum standards which local governments must follow in the creation and formation of instruments of government.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 376-- By Delegates K. Robie and Maurer

A PROPOSAL entitled Appointment and Removal of Administrative Boards and Commissions.

That the members of each board which serves as the head of a principal department, (except in higher education or the public school system) shall be appointed by the Governor and their terms of office prescribed by law in such manner that the Governor, within six months of taking office, shall appoint up to one-third of them.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 377-- By Delegates K. Robie and Maurer

A PROPOSAL entitled Appointments and Removals Prescribed by Law.

That the members of the governing board of an institution of higher education, of the state public school system, or of a principal department within the legislative or judicial branches, shall be appointed and may be removed as prescribed by law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 378-- By Delegate Linton

A PROPOSAL that each political subdivision of the State be represented in at least one house of the legislature.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 379-- By Delegates Vecera and Murphy

A PROPOSAL restricting the power of popularly elected representative local governments to originate a tax on income or earnings.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 380-- By Delegates Willoner, Burger and Dukes

A PROPOSAL entitled right to be informed.

That the people shall be free to observe their government in action. And that all proceedings of public bodies shall be open and all official records shall be available for inspection by the people and the press under reasonable regulations.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 381-- By Delegate Bennett

A PROPOSAL that Article V, Judicial Branch, include a provision relating to the removal or censure of Judges which shall state that misconduct in office shall be construed as including rulings, excessive sentences or immoderate statements clearly manifesting bias or hostility based on race, creed or color.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 382-- By Delegate Cardin

A PROPOSAL that the Constitution include a provision to reduce the voting age from twenty-one (21) years to twenty (20) years.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

MOTIONS AND RESOLUTIONS

Resolution No. 17-- By Delegate Cardin

* * *

WHEREAS, several proposals have been submitted to the Constitutional Convention which, if adopted, would lower the voting age from twenty-one (21) years; and

WHEREAS, if any of such proposals are adopted, there will be an inconsistency between the Constitutional voting age, and the statutory age for executing a legal document and purchasing alcoholic beverages; now, therefore, be it

RESOLVED, that upon the adoption by the Constitutional Convention of a proposal which would lower the voting age under twenty-one (21) years, the legislature be requested to consider enacting a uniform age for majority, executing a legal document, and purchasing alcoholic beverages;

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

At 4:24 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Tuesday, October 17, 1967, at 2:00 P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Tues., Oct. 17, 1967

The Convention met at 2:00 o'clock P.M.

Invocation was offered by Rev. Raymond M. Crowe of Frenndale, Md.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E.J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F.C., Robie K.L., Rollins, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A.W., Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total--136

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Scanlan, Chairman of the Committee on Rules, Credentials and Convention Budget, offered the Tenth Report of the Committee on Rules, Credentials and Convention Budget.

A REPORT regarding Resolution No. 13, introduced on October 5, 1967, by Delegate Malkus, The Resolution requested that the President provide a general summary and periodic reports of amounts spent or encumbered for the operation of the Convention. For the reasons stated below the Committee, with one dissenting vote, reports Resolution No. 13 unfavorably.

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON CALENDAR AND AGENDA.

INTRODUCTION AND FIRST READING AND
REFERENCE OF PROPOSALS

The President announced that Delegate Proposals No. 199 and No. 273 were referred to the Committee on General Provisions.

Delegate Proposal No. 388-- By Delegate Gallagher

A PROPOSAL that Article III, Legislative Branch, provide for the election of nonvoting legislative agents to represent those counties too small to be entitled to at least one delegate.

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 389-- By Delegates Bamberger, Bard, Beachley, Bryson, Hickman, Hopkins, Kiefer, Linton, Pulen, K. Robie, Sherbow, Sybert, and Willis

A PROPOSAL that the General Assembly shall provide by taxation or otherwise for the operation and maintenance of a system of public libraries throughout the State.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 390-- By Delegate Needle

A PROPOSAL entitled "Amendment of the Constitution" providing for a constitutional convention in 50 years, and alternative methods of calling for a constitutional convention within 50 years, including procedures for the governor, General Assembly and the voters by petition to call such convention.

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 391-- By Delegates Ulrich, Beachley, Cicone, Eckenrode, Fornos, Gallagher, Groh, Grumbacher, Gullett, Jett, Leitzel, E.C. Murray, Needle, Robie, and L. Taylor

A PROPOSAL that the Constitution contain a provision for the conservation of the Natural Resources of the State.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 392-- By Delegate Borom

A PROPOSAL entitled General Application of Laws that except as otherwise specifically provided for in this Constitution, the General Assembly may not enact any public local laws and, except with respect to appropriations, may enact only public general laws which in their terms and in their effects apply without exception to all counties.

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 393-- By Delegate Lloyd Taylor

A PROPOSAL that the Bill of Rights contain provisions concerning the rights to services, protection and assistance of the state government for all residents.

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

ANNOUNCEMENT TO THE CONVENTION

I wish to announce to the Convention and to enter on the Journal that pursuant to the provisions of Convention Rule 70C, I have excused absences of delegates during the two pay periods beginning September 12, 1967, and ending October 3, 1967 as follows:

<u>NAME OF DELEGATE</u>	<u>DATES OF ABSENCES</u>	<u>REASON</u>
E. Stuart Bushong	Sept. 12 & 13	Wife in Hospital
Richard W. Case	Sept. 15	Illness
Perry E. Darby	Sept. 19	Birth of Child
Royce Hanson	Sept. 27, 28, 29 Oct. 2 & 3	Illness
William S. James	Sept. 26 & 27	Attending Meeting of National Legislative Conference to Deliver Address on Constitutional Convention of Maryland
Gerald D. Morgan	Sept. 14 & 15	Illness
Charles L. Wagandt	Sept. 21	Illness
Ralph R. Webster	Sept. 12, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, Oct. 2 & 3	Illness

H. Vernon Eney,
President

WHICH WAS READ

At 2:28 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Wednesday, October 18, 1967, at 2:00 P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND

JOURNAL OF PROCEEDINGS

Annapolis, Maryland
Wednesday, Oct. 18, 1967

The Convention met at 2:00 o'clock P.M.

Invocation was offered by Reverend William W. Beale of LaPlata, Maryland.

Present at roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F. C., Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total--140

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY A VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Scanlan, Chairman of the Committee on Rules, Credentials, and Convention Budget reported on Committee Report No. R&C 10, presented, read, and referred to the Committee on Calendar and Agenda of the Convention on October 17, 1967.

The President put the question - Shall Resolution No. 13 be adopted notwithstanding the unfavorable report of the committee? The roll was called which resulted as follows:

Affirmative

Delegates--

Abramson, Baumann, Boileau, Boyer, Burgess, Caldwell, Chabot, Della, Eckenrode, Finch, Fornos, Frederick, Hickman, Hostetter, Hutchinson, Kahl, Kirkland, Kosakowski, Leitzel, Linton, Malkus, Murphy, Pascal, Rush, Rybczynski, Siewierski, Sosnowski, Sybert, Vecera, Webb, Wheatley. Total--31

Negative

Delegates--

President, James, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Beachley, Beall, Bennett, Blair, Borom, Bothe, Boyce, Bradshaw, Bryson, Burdette, Bushong, Buzzell, Byrnes, Cardin, Case, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Dulany, Fox, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hopkins, Jett, Key, Kiefer, Koger, Koss, Lord, Macdonald, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Penniman, Peters, Powers, Pullen, Raley, Robey, F. C., Robie K. L., Rollins, Rosenstock, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Soul, Stern, Storm, Taylor H. E., Taylor L., Ulrich, Wagandt, Willoner, Winslow. Total--98

Not Voting

Delegates--

Tawes, Clark J., Boyles, Carson, Dorsey, Dukes, Grant, Johnson, Price, Ritter, Weidemeyer, White, Willis. Total--13

The President announced that Resolution No. 13 was not accepted.

INTRODUCTION AND FIRST READING
AND REFERENCE OF PROPOSALS

Delegate Proposal No. 383-- By Delegate Gill

A PROPOSAL that provides for a referendum in all counties affected by a boundary change.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 384-- By Delegate Gill

A PROPOSAL that the State of Maryland shall begin an orderly and progressive transition from the policy of incurring long-term indebtedness of certain projects of comparative low cost to financing all expenditures on an annual basis.

Note: This proposal amends Delegate Proposal No. 311 by adding words "of certain projects of comparatively low cost."

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 385-- By Delegate Hanson

A PROPOSAL entitled Commission on Intergovernmental Relations established by the General Assembly to resolve boundary disputes between counties and municipalities; to define the boundaries of new governmental units, authorities; recommend to the General Assembly classifications of counties and municipalities; report to and advise the General Assembly and other appropriate officials of state, regional, county, municipal or other local governments with respect to intergovernmental relationships and problems of the state, the adequate performance of intergovernmental functions; and to recommend to the General Assembly concerning the establishment, incorporation, merger, dissolution, or alteration of the boundaries of local governments or authorities in the State.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 386-- By Delegate Grant

A PROPOSAL providing for the removal of local elected officials, for disability, incompetency or other failure to carry out the duties of the office to which elected, and for the selection of a person to fill the remainder of the term of such office.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

Delegate Proposal No. 387-- By Delegates Raley and Case

A PROPOSAL entitled Powers of Counties that a county may exercise any power, other than judicial power or the power to tax. The General Assembly may by law delegate to the counties any or all power of taxation.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 394-- By Delegates Fox, Adkins and Fornos

A PROPOSAL that Article VIII, dealing with tax and assessments, provide for a mandatory subclassification for assessment of

land devoted to agriculture uses but allowing the legislature to define agricultural use.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON STATE FINANCE AND TAXATION.

Delegate Proposal No. 395-- By Delegate Schloeder

A PROPOSAL that no person shall be denied the right to teach or discuss any social, economic, or political problem by the state, officials, or any organized group.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 396-- By Delegate Grant

A PROPOSAL that any unit of government may provide by law for the extension of the right to vote on specified questions to persons within the area of that unit of government who are not otherwise qualified to vote in local or general elections.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON SUFFRAGE AND ELECTIONS.

MOTIONS AND RESOLUTIONS

Motion No. 4-- By Delegate Chabot

A MOTION to amend Rule 27 of the Standing Rules. It is moved that Rule 27 be amended to read as follows:

A committee shall notify all delegates who have introduced proposals on the same subject matter of the time and place where they may meet with the committee to explain such proposals, and the notice required by this rule shall be given at least twenty-four hours before the committee takes final action. The requirements imposed by this rule shall not be applicable with respect to delegate proposals introduced after October 30, 1967.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

In view of comments by the chair that committee chairmen have already been requested to extend the time limitation date to October 30, Delegate Chabot requested permission of the Convention and was allowed to withdraw Motion No. 4.

ADJOURNMENT

At 2:40 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Thursday, October 19, 1967 at 2:00 P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Thursday, Oct. 19, 1967

The Convention met at 2:00 P.M.

Invocation was offered by Rev. Edwin Reter of Baltimore, Maryland.

Present at roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachlev, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E.J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dulany, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, MacDonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E.T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray E.C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F.C., Robie K.L., Rollins, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A. W., Smith, J. H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total - 135

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY A VOICE VOTE.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 397-By Delegates Gullett and Freedlander

A PROPOSAL entitled Powers of Counties that a county may exercise any power, other than judicial power. The members of the branch of the county government exercising legislative power who are elected by district shall be elected by the same voters of the district from which they seek election.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 398 - By Delegate L. Taylor

A PROPOSAL that the State shall conduct an extensive survey every five years to determine the supply, demand, and maximum economical utilization of resources of every nature, kind, and description which would be available to meet the needs of the State, its citizens, and major private enterprises.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 399 - By Delegates Wagandt, Marion and Sollins

A PROPOSAL providing that any county with a population of 100,000 or more shall be divided by law into districts for the election of members of the legislative branch of the county government; that legislative members be elected from districts by the voters of the same districts from which they seek election; that each district shall consist of compact and contiguous territory; and that the most populous district shall not exceed the least populous by more than 10%. Provided, however, that a chairman of the legislative body of the county government may be elected at large.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

ANNOUNCEMENTS

The President made the following announcement: "That pursuant to the provisions of Convention Rule 70C I have excused absences of delegates during the pay period beginning October 4, 1967 and ending October 17, 1967, as follows:

<u>DELEGATE</u>	<u>DATE</u>	<u>EXCUSE</u>
Abramson	10/5	Rosh Hashana
Bard	10/5	Rosh Hashana
Bushong	10/11, 10/12, 10/13	Illness
Cardin	10/5	Rosh Hashana
Case	10/5	Rosh Hashana
Chabot	10/5	Rosh Hashana
Freedlander	10/5	Rosh Hashana
Grumbacher	10/5	Rosh Hashana
Hanson	10/4, 10/5, 10/6, 10/9	Illness
Koss	10/5	Rosh Hashana
Maurer	10/5	Rosh Hashana
Miller, B.	10/5	Rosh Hashana
Miller, E.T.	10/11, 10/16 10/17	Illness
Moser	10/5	Rosh Hashana
Needle	10/5	Rosh Hashana
Rosenstock	10/5	Rosh Hashana
Sherbow	10/5	Rosh Hashana
Singer	10/5, 10/6	Rosh Hashana
Stern	10/5	Rosh Hashana

At 2:15 o'clock P.M. on motion of Mr. Powers, duly seconded,
the Convention adjourned until Friday, October 20, 1967 at
2:00 P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND

JOURNAL OF PROCEEDINGS

Annapolis, Maryland
Friday, Oct. 20, 1967

The Convention met at 2:00 o'clock P.M.

Invocation was offered by Reverend Lyle B. Buck of Ellicott City, Maryland.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F. C., Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total--133

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY A VOICE VOTE.

INTRODUCTION AND FIRST READING
AND REFERENCE OF PROPOSALS

The President rereferred Delegate Proposal No. 387 to the Committee on Local Government.

Delegate Proposal No. 400-- By Delegate Grumbacher

A PROPOSAL that each house shall elect its own officers by secret ballot, and determine its rules of procedure, and

each standing committee shall elect its chairman by secret ballot, and may permit its committees to meet between sessions of the General Assembly.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

ADJOURNMENT

At 2:16 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Monday, October 23, 1967, at 4:00 P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Mon., Oct. 23, 1967

The Convention met at 4:00 o'clock P.M.

Invocation was offered by Rev. John W. Holland of Cooksville, Md.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Buzzell, Byrnes, Caldwell, Cardin, Carson, Chabot, Child, Cicone, Clagett, Clarke E.J., Cleveland, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Frederick, Freeland, Gallagher, Gilchrist, Gill, Groh, Grumbacher, Gullett, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E.T., Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F.C., Robie K.L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A.W., Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total--134

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on the Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Scanlan, Chairman of the Rules, Credentials and Convention Budget Committee offered Committee Report No. R&C 11.

A REPORT regarding the Convention budget.

EXPLANATORY COMMENT

Rule 25 of the Convention rules clearly vests authority in the President to incur expenditures as necessary to carry on the operations of the Convention. The Rules are silent as to the specific functions of this Committee in connection with the preparation or approval of the Convention budget. Nevertheless, they rather clearly imply that the Convention itself must ultimately

approve its own budget. In addition, Section 11 of the Enabling Act permits the Convention to incur such expenditures as it deems proper to carry out its work, but specifically forbids it from incurring "total expenditures in excess of the amount appropriated by law for its expenses." Therefore, your Committee considers that it has the duty to review the Convention's budget as prepared by the President and other officers of the Convention and periodically review operations under that budget in order to assure the delegates that budgetary limits are being observed and that no wasteful expenditures are being tolerated. In the light of this understanding of its functions, the Committee has reviewed the Convention budget prepared by the President and other officers of the Convention and recommends that the delegates approve it, subject to the condition that it be periodically reviewed by this Committee and that the Committee keep the Convention advised concerning expenditures incurred in the operation of the Convention in relation to the amounts projected in the estimated budget.

The President of the Convention appeared before your Committee on October 11, 1967, at which time he discussed the budget detail sheet prepared for the Convention by its budget analyst, William V. Crider, and previously distributed to the members of the Committee. He explained that the budget details as shown on the sheet were merely "guesstimates" of the expenses of the Convention because the Convention does not have available the only valid basis for preparing a budget, i.e., experience. The Budget Bureau has advised the Convention that because the Convention is a unique organization, the experiences of other bodies such as the General Assembly are not helpful in preparing estimates of expenditures. This is particularly true because we don't know how long the Convention will last.

Three budgets were prepared on the assumption of a 90-day session, a 105-day session, and a 120-day session. The 90-day session was assumed to have an actual 75 days in which the Convention would be in session; the 105-day session 90 actual days, and 120-day session 105 actual days.

President Eney then went through each item shown on the budget attached.

* * *

CONCLUSION AND RECOMMENDATION

It is apparent that we do not know at this time which, or how many of the budget estimates may be overstated and which may be understated. Much depends on the duration of the Convention. However, there is no question that the budget is probably on the tight side, and with the wisdom of hindsight it cannot be disputed that it would have been better for the General Assembly to have appropriated more money for the actual operations of the Convention. However, a constitutional convention is a rare animal. Comparisons with constitutional conventions held in other States are not very helpful because of the multitude of differences in the manner in which they were conducted. Nevertheless, if the

estimated budget withstands the test of actual day to day operation, it should be sufficient to permit an efficient convention without trimming essential expenditures. We do regret that, should the Convention go the full 120-day limit there will be little funds available with which to carry on the important task of informing the voters on the new Constitution which they will be called upon to accept or reject. Hopefully, in such case, the Maryland General Assembly would not let the voters be kept in the dark concerning the product of the Convention.

The Committee recommends that the Convention approve the estimated budget attached to this report, but that it authorize the Committee on Rules, Credentials and Convention Budget to periodically review operations under the budget and, in the Committee's judgment to report to the Convention regarding expenditures incurred on any other matters affecting the budget of the Convention.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON CALENDAR AND AGENDA.

INTRODUCTION AND FIRST READING AND
REFERENCE OF PROPOSALS

Delegate Proposal No. 401-- By Delegates Gallagher, Scanlan and Bard

A PROPOSAL that no law shall be enacted respecting an establishment of religion, or prohibiting the free exercise thereof.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

At 4:23 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Tuesday, October 24, 1967, at 2:00 P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Tues., Oct. 24, 1967

The Convention met at 2:00 o'clock P.M.

Invocation was offered by Rev. W. Curtis Draper of Upper Marlboro, Maryland.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E.J., Cleveland, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Litzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E.T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F.C., Robie K.L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A.W., Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total--139

Delegate William S. James was the presiding officer of today's session.

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Scanlan, Chairman of the Rules, Credentials and Convention Budget Committee reported on Committee Report No. 11, presented to the Convention on October 23, 1967.

* * *

The Committee recommends that the Convention approve the estimated budget, but that it authorize the Committee on Rules, Credentials and Convention Budget to periodically review operations under the budget and, in the Committee's judgment, to report to the Convention regarding expenditures incurred or on any other matters affecting the budget of the Convention.

THE REPORT R&C NO. 11 WAS READ AND ADOPTED BY YEAS AND NAYS BY VOICE VOTE.

Delegate Malkus advised the Convention that he was voting in the negative on this report.

INTRODUCTION AND FIRST READING AND
REFERENCE OF PROPOSALS

Delegate Proposal No. 402-- By Delegate Hanson

A PROPOSAL entitled:

Redistricting Procedure.

At least six months before the first day of a regular session of the General Assembly in a year in which redistricting is to occur, the presiding officer and the minority leader of the House of Delegates shall each appoint from each of the State's congressional districts, one citizens, who shall be of the same party as the officer appointing him, and who shall hold no other elected or appointed public office in the State of Maryland. The persons so appointed shall act as a Commission on Redistricting of the General Assembly.

Within thirty days following appointment of the members of the Commission, the Attorney General shall convene the Commission, preside at its deliberations and provide it with legal advice or assistance, but he shall not vote on any question before it. The Commission shall prepare a plan for the redistricting of the membership of the House of Delegates and of the Senate in accordance with the standards set forth in this Constitution and with the Constitution and laws of the United States.

* * *

The Commission shall present its plan of redistricting and a report of its deliberations to the respective Houses of the General Assembly not later than the first day of the regular session of the General Assembly in the year in which redistricting is to occur.

If, after receipt of the plan of the Commission, the General Assembly has not enacted, by law, any other plan of redistricting sixty days before the last day set for the filing of candidates for the General Assembly, the plan, as submitted by the Commission, shall become law.

Upon petition of any qualified voter, the Supreme Court shall have original jurisdiction to review the plan of redistricting which becomes law. If an act of the General Assembly is found by the Supreme Court not to meet constitutional requirements, then the plan of the Commission shall become law. If it finds that the Commission plan does not meet constitutional requirements, the Supreme Court shall grant appropriate relief for the conduct of an impending election.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

At 2:41 o'clock P.M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Wednesday, October 25, 1967, at 2:00 P.M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Wednesday, Oct. 25, 1967

The Convention met at 2:00 o'clock P. M.

Invocation was offered by Rev. Herbert S. Costain of Indianhead, Maryland.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Litzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F. C. Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E. Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

Total -- 138

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Boyer, Chairman of the Committee on General Provisions, reported Committee Recommendation No. GP-1.

A RECOMMENDATION that the Constitution include a provision on militia.

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE OF THE WHOLE.

Committee Memorandum No. GP-1 was offered in support of
Committee Recommendation No. GP-1.

* * *

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 403 -- By Delegate Hanson.

A PROPOSAL to provide standards for the redistricting of the General Assembly. That the State shall be divided into districts for the election of members of the House of Delegates and into districts for the election of members of the Senate. One delegate shall be elected from each delegate district, and one senator shall be elected from each senatorial district. Each delegate district shall be composed of contiguous territory, and it shall be as compact in form as practicable. Natural boundaries and the boundaries of political subdivisions shall be followed insofar as practicable. The range of deviation between the populations of the largest and the smallest districts in the State shall not exceed five per cent of the mean population per delegate district. Each senatorial district shall consist of an equal number of contiguous delegate districts. Senatorial districts shall be as compact as practicable. The membership of the House of Delegates and the Senate shall be redistricted in 1970 and every twentieth year thereafter, and also in 1982 and every twentieth year thereafter.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE
ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 404 -- By Delegate Needle - by request.

A PROPOSAL that criminal court records resulting in verdicts of not guilty or probation without verdict shall not be available to the public and that such records shall be destroyed at the request of the accused.

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE
ON THE JUDICIAL BRANCH.

Delegate Proposal No. 405 -- By Delegates Wheatley and Blair.

A PROPOSAL providing for an affirmation by all public employees that they will support the Constitution of the United States, the Constitution of Maryland and the laws thereof.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE
ON GENERAL PROVISIONS.

Delegate Proposal No. 406 -- By Delegates Miller B., Abramson, Bamberger, Bard, Baumann, Bennett, Blair, Bothe, Boyce, Clarke E., Harris, Kirkland, Kosakowski, Lord, Mitchell, Murphy, Murray D., Needle, Ritter, Sickles, Sollins, Smith A. W., Taylor, Vecera, Wheatley, White.

A PROPOSAL that all persons shall have the right to form or join labor organizations for their mutual aid and protection and to bargain collectively through representatives of their own choosing.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 407 -- By Delegate Boileau.

A PROPOSAL That the Bill of Rights include guarantees of freedom from arbitrary administration action.

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 408 -- By Delegate Sollins.

A PROPOSAL that the State shall provide by law a state-wide system of free public schools for the education of, and open to, all children of school age, and shall guarantee equal educational opportunity for all children of school age. The General Assembly shall apportion all state financial aid to education based on the number of pupils, the special educational needs and educational potential of each child of school age, and the total local tax burden of the taxpayers of each local school district or political subdivision of the State.

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

MOTIONS AND RESOLUTIONS

Resolution No. 18 -- By Delegates Kirkland, Sosnowski, Vecera.

A RESOLUTION * * *

WHEREAS, One hundred thirty-eight (138) delegates have been assigned to only one substantive committee and therefore are entitled to only one (1) vote; and

WHEREAS, Three (3) delegates have been assigned to eight (8) substantive committees and therefore are exercising the right to vote on each of these eight (8) substantive committees on which they are respectively serving seems to be in direct conflict of the democratic process and not covered in the Convention rules; and

WHEREAS, One (1) delegate has been assigned to no substantive committee and therefore has no vote on a substantive committee as entitled by the rules; now therefore be it

RESOLVED, that each delegate regardless of his official capacity shall have only one (1) vote on only one (1) substantive committee; and be it further

RESOLVED, That the three (3) delegates presently voting on more than one (1) committee shall continue to be liaison members to other committees but shall not be a voting member except on the one committee to which they are assigned to exercise their vote.

RESOLVED, that this Resolution shall be applied retroactively.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON RULES, CREDENTIALS AND CONVENTION BUDGET.

Delegate Scanlan moved, duly seconded, to suspend the rules so that Resolution No. 18 could be considered at once.

SAID MOTION PREVAILED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Delegates --

Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bard, Baumann, Beachley, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyles, Bradshaw, Bryson, Burdette, Burgess, Buzzell, Byrnes, Caldwell, Cardin, Case, Clagett, Clarke E. J., Cleveland, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Hickman, Hopkins, Hostetter, *Jett, Johnson, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Neilson, Neumann, Pascal, Pennimann, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F. C., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Sherbow, Siewierski, Singer, Smith A. W., Smith M. H., Sollins, Sosnowski, Soul, Stern, Sybert, Taylor H. F., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, Willis, Willoner.

*Hutchinson

Total -- 118

Negative

Delegates --

Boyer, Bushong, Henderson, Schloeder.

Total -- 4

Not Voting

Delegates --

President, Bamberger, Barrick, Beall, Carson, Chabot, Child, Cicone, Dabrowski, Fornos, Grant, Kahl, Needle, Robie K. L., Schneider, Sickles, Smith J. H., Storm, White, Winslow.

Total -- 20

Resolution No. 18 was then considered.

After debate, Delegate Gallagher moved, duly seconded, to amend Resolution No. 18 by deleting: "That this Resolution shall be applied retroactively."

SAID MOTION PREVAILED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Delegates --

President, Abramson, Adkins, Armor, Bard, Baumann, Beall, Bennett, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Bushong, Buzzell, Byrnes, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dulany, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Henderson, Hickman, Hopkins, Hostetter, Jett, Kiefer, Kosakowski, Koss, Leitzel, Linton, Lord, Marion, Mason, Miller B., Mitchell, Morgan, Moser, Mosner, Mudd, Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Powers, Price, Raley, Robey F. C., Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Storm, Sybert, Taylor L., Wagandt, Willis, Willoner, Winslow.

Total -- 89

Negative

Delegates --

Anderson, Beachley, Blair, Boileau,*Caldwell, Darby, Della, Dorsey, Dukes, Eckenrode, Finch, Fornos, Harkness, Harris, Hutchinson, Johnson, Kahl, Key, Kirkland, Koger, Macdonald, Malkus, Maurer, Mentzer, Miller E. T., Murphy, Murray D. S., Peters, Pullen, Ritter, Rollins, Rosenstock, Rush, Rybczynski, Sosnowski, Soul, Stern, Taylor H. E., Ulrich, Vecera, Webb, Weidemeyer, White.

* Burgess

Total -- 44

Not Voting

Delegates --

Tawes, Clark J., James, Bamberger, Barrick, Dabrowski, Grant, Robie K. L., Wheatley.

Total -- 9

Delegate White moved, duly seconded, to amend Resolution No. 18 by adding the following: "RESOLVED, That delegates who fail to attend a minimum of four meetings weekly be denied the right to vote."

THE QUESTION ON DELEGATE WHITE'S AMENDMENT WAS REJECTED BY YEAS AND NAYS VOICE VOTE.

Delegate Kirkland moved, duly seconded, to amend Resolution No. 18 by adding the word "substantive" before the word "committee."

SAID MOTION PREVAILED BY YEAS AND NAYS VOICE VOTE.

Delegate Bennett moved, duly seconded, to add the following language: "Whenever there is objection by the committee involved."

SAID MOTION WAS REJECTED BY YEAS AND NAYS VOICE VOTE.

The question was then put by the President on the adoption of Resolution No. 18 as amended.

RESOLUTION NO. 18 WAS ADOPTED AS AMENDED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Delegates --

Tawes, Anderson, Armor, Bard, Baumann, Beachley, Blair, Boileau, Bothe, Boyce, Burgess, Bushong, Buzzell, Caldwell, Cardin, Darby, Della, Dorsey, Dukes, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gill, Gleason, Grumbacher, Gullett, Hardwicke, Hargrove, Harkness, Harris, Hutchinson, Johnson, Kahl, Key, Kirkland, Koger, Malkus, Mentzer, Miller B., Mitchell, Mosner, Murphy, Murray D. S., Murray E. C., Neumann, Pascal, Penniman, Peters, Price, Pullen, Ritter, Robey F. C., Rollins, Rosenstock, Rush, Rybczynski, Schneider, Sickles, Smith A. W., Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Willoner.

Total -- 75

Negative

Delegates --

Abramson, Adkins, Beall, Bennett, Borom, Boyer, Boyles, Bradshaw, Bryson, Burdette, Byrnes, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dulany, Gilchrist, Groh, Hanson, Henderson, Hickman, Hopkins, Hostetter, Jett, Kosakowski, Koss, Litzel, Linton, Lord, Macdonald, Marion, Mason, Miller E. T., Morgan, Mudd, Needle, Neilson, Powers, Raley, Scanlan, Schloeder, Sherbow, Siewierski, Singer, Smith J. H., Smith M. H., Sollins,

Weidemeyer, White, Willis, Winslow.

Total -- 55

Not Voting

Delegates --

President, Clark J., James, Bamberger, Barrick, Dabrowski, Grant,
Kiefer, Maurer, Moser, Robie K. L., Wheatley.

Total -- 12

At 3:20 o'clock P. M. on motion of Mr. Powers, duly seconded,
the Convention adjourned until Thursday, October 26, 1967, at 2:00
o'clock P. M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Thursday, Oct. 26, 1967

The Convention met at 2:00 o'clock P. M.

Invocation was offered by Rt. Rev. Msg. Thomas B. Dade of Riverdale, Maryland.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Groh, Grumbacher, Gullett, Hanson, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F. C., Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

Total--137

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Sherbow, Chairman of the Committee on State Finance and Taxation offered Committee Recommendation No. SF 1.

A RECOMMENDATION that the Constitution include a provision on the post audit of State finances.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE OF THE WHOLE.

Committee Memorandum No. SF 1 was offered in support of Committee Recommendation No. SF 1.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

The President rereferred Delegate Proposal No. 277 to the Committee on Local Government.

Delegate Proposal No. 409 -- By Delegate Finch.

A PROPOSAL that the Constitution provide that there shall be a State Policy making Council consisting of five (5) members, including the Governor (who shall serve as Chairman), the Attorney General, a financial representative (such as the Comptroller or the Director of the Budget), the President of the Senate and the Speaker of the House. The duties of the Council shall be prescribed by law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 410 -- By Delegate Finch.

A PROPOSAL that the police power of this State shall never be abridged, nor construed to permit conduct of any business or enterprise in any manner which infringes the equal rights of persons or the general welfare and well-being of this State.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 411 -- By Delegate Finch.

A PROPOSAL that the State shall provide for the protection and promotion of public health, including providing assistance and aid for persons unable to maintain a standard of living compatible with decency and health.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 412 -- By Delegate Finch.

A PROPOSAL authorizing the Legislature to enact legislation enabling the State to draft its citizenry for the purpose of assisting law enforcement officers in time of internal strife, disaster, invasion, and rebellion.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 413 -- By Delegate Finch.

A PROPOSAL that there shall be at least two (2) judges of the Supreme Court of this State who shall be lay persons to add wisdom, experience, and objectivity to the Court in making decisions which affect the rights of the people of this State.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 414-- By Delegate Finch.

A PROPOSAL that the power to suspend laws of this State shall only be exercised by the Legislature or by authority derived therefrom.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 415 -- By Delegate Finch.

A PROPOSAL that the State shall obtain, conserve, and develop objects and places of historical, cultural, and heritage interest.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 416 -- By Delegate Finch.

A PROPOSAL that every person within this State shall obtain right, justice, and a remedy for all wrongs or injuries which he may suffer to his person, property, character, and family, such right to be free and without purchase, complete and without denial, prompt and without delay, by having recourse to the laws and equitable principles.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 417 -- By Delegate Finch.

A PROPOSAL that the highest court of the State shall have appellate jurisdiction in all cases under the State Constitution and the Constitution of the United States, and in all other cases as provided by law. Said court shall be composed of seven justices; five justices shall constitute a quorum. The concurrence of five justices in the instance of a Constitutional issue, and four justices in all other instances shall be necessary for the decision of a case.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 418 -- By Delegate Singer.

A PROPOSAL that no law by the General Assembly shall require expenditures by any county until approved by the governing body of the county, unless the General Assembly provides sufficient funds to meet the cost of such county expenditures.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 419 -- By Delegate Finch.

A PROPOSAL that the citizens of this State shall continue to enjoy and freely exercise all riparian rights of creeks, rivers, lakes, bays, and the ocean to which they have heretofore been entitled, including the rights of "huntery" and fishery.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 420 -- By Delegate Finch.

A PROPOSAL that automation of goods and services within this State shall not be to the general detriment of the citizenry thereof.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

MOTIONS AND RESOLUTIONS

Delegate Marion moved, duly seconded, to reconsider the vote by which Resolution 18, as amended, was adopted on October 25, 1967.

SAID MOTION PREVAILED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Delegates --

Tawes, Abramson, Adkins, Armor, Bamberger, Barrick, Bennett, Boileau, Borom, Bothe, Boyer, Bradshaw, Bryson, Burdette, Bushong, Buzzell, Byrnes, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dulany, Finch, Fornos, Fox, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grumbacher, Hanson, Hargrove, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Kiefer, Koger, Kosakowski, Koss, Litzel, Linton, Lord, Macdonald, Marion, Mason, Maurer, Mentzer, Miller B., Mitchell, Morgan, Moser, Mudd, Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Powers, Price, Raley, Scanlan, Schloeder, Sherbow, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Taylor H. E., Taylor L., Ulrich, Wagandt, Weidemeyer, White, Willis, Willoner, Winslow.

Total -- 89

Negative

Delegates --

Anderson, Baumann, Beachley, Blair, Boyce, Burgess, Caldwell, Darby, Della, Dorsey, Dukes, Eckenrode, Frederick, Groh, Gullett, Harkness, Johnson, Kahl, Key, Kirkland, Malkus, Miller E. T., Murphy, Murray D. S., Peters, Pullen, Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Schneider, Sosnowski, Soul, Stern, Storm, Sybert, Vecera, Webb, Wheatley.

Total -- 40

Not Voting

Delegates --

President, Clark J., James, Bard, Beall, Boyles, Dabrowski, Grant, Hardwicke, Mosner, Ritter, Robey F.C., Sickles.

Total -- 13

Delegate Marion moved, duly seconded, to refer Resolution No. 18 to the Committee on Rules, Credentials and Convention Budget in light of Rule 28.

Delegate White moved, duly seconded, to amend Delegate Marion's motion to include a direction to the Rules, Credentials and Convention Budget Committee to give some attention to the delegate attendance at committee meetings and their right to vote.

SAID MOTION FAILED BY YEAS AND NAYS VOICE VOTE.

The question on the motion of Resolution No. 18 being referred to the Committee on Rules, Credentials and Convention Budget was put to the Convention.

SAID MOTION PREVAILED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Delegates --

Tawes, Abramson, Adkins, Armor, Bamberger, Barrick, Bennett, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dulany, Fornos, Fox, Gallagher, Gilchrist, Gill, Gleason, Grumbacher, Gullett, Hanson, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Jett, Kiefer, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Marion, Mason, Maurer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mudd, Needle, Neilson, Neumann, Pascal, Penniman, Powers, Price, Raley, Ritter, Scanlan, Schloeder, Sherbow, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Taylor E. E., Taylor L., Ulrich, Wagandt, White, Willis, Winslow.

Total--86

Negative

Delegates --

Anderson, Baumann, Beachley, Blair, Boileau, BURGESS, Darby, Della,
Dorsey, Dukes, Eckenrode, Finch, Frederick, Groh, Hutchinson,
Johnson, Kahl, Key, Kirkland, Malkus, Mentzer, Murphy, Murray D. S.,
Murray E. C., Peters, Pullen, Robey F. C., Robie K. L., Rollins,
Rosenstock, Rush, Rybozynski, Schneider, Sosnowski, Soul, Stern,
Storm, Sybert, Vecera, Webb, Weidemeyer, Willoner.

Total -- 42

Not Voting

Delegates --

President, Clark J., James, Bard, Peall, Boyles, Bushong, Dabrowski,
Freedlander, Grant, Hardwicke, Mosner, Sickles, Wheatley.

Total -- 14

RESOLUTION NO. 18 WAS REFERRED TO THE COMMITTEE ON RULES,
CREDENTIALS AND CONVENTION BUDGET.

At 3:05 o'clock P. M. on motion of Mr. Powers, duly seconded,
the Convention adjourned until Monday, October 30, 1967, at 4:00
o'clock P. M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Monday, October 30, 1967

The Convention met at 4:00 o'clock P. M.

Invocation was offered by Rev. Thomas L. Perry, Emmanuel Lutheran Church, Baltimore, Maryland.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Jahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F. C., Robie K. L. Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

Total -- 140

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported on the daily calendar and agenda.

Delegate Powers moved, duly seconded, to amend the Calendar so that the Committee on Rules, Credentials and Convention Budget could report Resolution No. 18 under item 5 and that the rules be suspended so that the report could be considered at today's session, along with proposed amendment to Rule 28.

MOTION ADOPTED BY YEAS AND NAYS VOICE VOTE.

THE REPORT BY THE COMMITTEE ON CALENDAR AND AGENDA WAS THEN ADOPTED AS AMENDED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Delegates --

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke F. J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Cill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Harwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley,* Ritter, Robey F. C., Robie K. L., Rosenstock, Rush, Rybczynski, Singer, Smith A. W., Smith J. E., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Waçandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

* Scanlan, Schloeder, Schneider, Sherbow, Siewierski, Total -- 139

Negative

None.

Not Voting

Delegates --

Malkus, Rollins, Sickles.

Total -- 3

REPORTS OF OTHER STANDING COMMITTEES

Mr. Penniman, Chairman of the Committee on Style, Drafting and Arrangement, offered Committee Report No. S&D-1.

A REPORT containing some suggestions for the drafting of Committee Recommendations:

The Constitution should be both clear and readable. A few general principles may be helpful to attain that end, but no principle should be applied so rigidly that it obscures effectiveness and meaning.

1- Each article and section should have a title or heading. Meaning of provisions should not depend upon headings or titles because neither has clear legal force.

2- Preambles should not precede or be included in individual articles.

3- Whenever possible, all relevant provisions governing a single subject or issue should be in one section. The arrangement of a section is usually logical when its meaning is clear from the reading of each sentence in sequence. Meaning is obscure if it is dependent on looking elsewhere in the Constitution or even in later sections of the same article.

4- Cross reference and incorporation of provisions from other articles and sections should be avoided.

5- Incidental allusions to departments, agencies and officers should be avoided because it gives them constitutional status.

6- Be cautious of enumerations because they may be interpreted as excluding all items not listed.

7- Short sentences are preferable to long or complicated ones. Everyday words should be used when possible.

8- In general use the active voice which is more forceful than the passive. Examine each sentence with this in mind.

9- The present tense is often the clearest and most certain in vesting powers or obligations.

10- Remember that "shall" is mandatory and "may" is permissive.

11- Superfluous or repetitious words add to difficulty in interpretation rather than to clarity.

12- Committees should avoid "the said," "the same," "aforesaid," and "hereinafter" for the sake of readability and for assurance that later rearrangement or amendment will not change the meaning.

13- Structure the sentence so that meaning is not dependent upon internal punctuation.

THE PRESIDENT ACCEPTED THE REPORT AND REFERRED IT TO ALL DELEGATES FOR THEIR INFORMATION.

Mr. Scanlan, Chairman of the Committee on Rules, Credentials and Convention Budget, reported Committee Report No. R&C-12.

INTRODUCTORY COMMENT

In this, its Twelfth Report, the Committee discusses and recommends a number of changes in the present rules of the Convention. Most of these are technical in nature. However, two of them are of substantial importance and should require the careful consideration by the Convention before adoption. These are the Committee's recommendations: (1) that amendments to committee amendments be distributed to the Convention delegates; and (2) that the rule regarding reconsideration be made more flexible. The Committee has considered all of these rule changes at great length, and has received the views of the President, the Vice Presidents, and the Parliamentarian of the Convention, before arriving at its decision. The Committee approves, and recommends

that the Convention adopt, the following amendments to the Standing Rules of the Convention.

AMENDMENT TO RULE 33

* * *

The Committee on Rules proposes that present Rule 33 be deleted and that there be substituted the following language:

"Rule 33. Amendments in Committee of the Whole. Amendments offered in Committee of the Whole shall be subject to Rule 46A, Amendments Required to be Printed."

* * *

AMENDMENT TO RULE 36

* * *

The Committee proposes that Rule 36 be amended by inserting the following language:

FIRST: After the words ". . .except that the Committee of the Whole cannot adjourn the Convention;" insert: "no question may be laid on the table;"

SECOND: After the words ". . .a majority of the Committee shall govern its action;" insert: "any motion to postpone further consideration shall be debatable for ten (10) minutes, no speech thereon to exceed two (2) minutes;"

* * *

AMENDMENT TO RULE 40

* * *

The Committee proposes that Rule 40 be amended by inserting after the first sentence of the present Rule the following:

"A 'motion' within this rule includes only the privileged motions listed in Rule 43 or a motion of merely procedural character, such as to take from the table, to send the sergeant-at-arms for absentees, etc. All other matters (except delegate proposals and committee recommendations) shall be presented as resolutions."

* * *

AMENDMENT TO INSERT RULE 44-A

The Committee proposes that a new Rule 44-A be added to follow Rule 44 and to read as follows:

"Rule 44-A. Motion to Take from the Table. After one session days notice any matter laid on the table may be taken therefrom on motion, provided that business of the class of the matter be taken from the table would then be in order."

* * *

AMENDMENT TO INSERT RULE 46-A

The Committee recommends that the following language be adopted as a new Rule 46-A to follow Rule 46:

"Rule 46-A. Amendments to be Printed. No amendment to any committee recommendation or delegate proposal shall be considered unless it is submitted in writing and a copy thereof delivered to the floor desk of each delegate prior to the time the amendment is offered."

* * *

AMENDMENT to Rule 47

* * *

The Committee recommends that the following language be added to the last sentence of Rule 47:

"Whenever a question has been divided, no final vote shall be taken on any division until all of the divisions thereof have been considered for amendment, after which further amendments to any division shall be in order, and thereafter each division will be put to final vote."

* * *

AMENDMENT TO RULE 50

The Committee recommends present Rule 50 be deleted and that there be substituted therefor the following:

"Rule 50. Reconsideration in Convention.

(a) Any question finally adopted or rejected by the Convention may be reconsidered on motion of any delegate at any time before the Convention adjourns sine die.

(b) No question may be reconsidered more than once, except if reconsideration is moved by direction of the Committee on Style, Drafting, and Arrangement, or by the Convention Committee which reported on the matter to be reconsidered, or if moved after submission of a petition signed by fifteen (15) delegates to the Convention.

(c) A motion to reconsider in Convention may not be called up until the second session day after it is moved, and shall require an affirmative vote of a majority of the delegates to the Convention.

(d) A motion to reconsider in Convention may be laid on the table independent of the question to be reconsidered; but a motion to reconsider moved by direction of a committee or pursuant to petition of the required number of delegates as provided above shall be in order without regard to the tabling of any previous motion to reconsider.

* * *

CONCLUSIONS AND COMMITTEE RECOMMENDATIONS

The Committee on Rules, Credentials and Convention Budget reports favorably and recommends that the Convention adopt the amendments to the Rules previously set forth in this report including amendments to Rules 33, 36, 40, 47, 50, and new Rules 44-A and 46-A.

COMMITTEE REPORT NO. R&C-12 WAS READ AND REFERRED TO THE COMMITTEE ON CALENDAR AND AGENDA.

Mr. Scanlan from the Committee on Calendar and Agenda reported Resolution No. 18, introduced on October 25, 1967.

* * *

Delegate Scanlan moved, duly seconded, to amend Resolution No. 18 by deleting the first three paragraphs beginning WHEREFAS; and the words: "regardless of his official capacity."

WHICH AMENDMENT TO RESOLUTION NO. 18 WAS ADOPTED BY YFAS AND NAYS VOICE VOTE.

The question on Resolution No. 18 as amended was put to the delegates by the President.

Resolution No. 18 -- By Delegates Kirkland, Sosnowski, and Vecera.

RESOLVED, that each delegate shall have only one (1) vote on only one (1) substantive committee; and be it further

RESOLVED, That the three (3) delegates presently voting on more than one (1) substantive committee shall continue to be liaison members to other substantive committees but shall not be a voting member except on the one substantive committee to which they are assigned to exercise their vote.

WHICH RESOLUTION WAS ADOPTED BY YEAS AND NAYS VOICE VOTE.

Mr. Scanlan, Chairman of the Committee on Rules, Credentials and Convention Budget reported the following Committee Recommendation.

The Committee recommends that Rule 28 be amended by adding the phrase . . .having the right to vote . . .following the word committee in line two of the present Rule and again adding the phrase . . .having the right to vote . . .in line four of the present Rule. The proposed amendment is not intended to be retroactive so as to effect a quorum or number of votes needed to file minority reports as to actions by committees prior to the adoption of this Amendment.

Delegate Scanlan moved, duly seconded, to adopt the above Committee Recommendation to amend Rule 28.

SAID MOTION PREVAILED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Delegates --

Tawes, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Case, Child, Cicone, Clagett, Clarke E. J. Cleveland, Dabrowski, Darby, Della, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Litzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Robey F. C., Robie K. L., Rosenstock, Rush, Rybczynski, Schneider, Sherbow, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Wheatley, Willis, Willoner, Winslow.

Total -- 130

Negative

Delegates --

Chabot, Weidemeyer.

Total -- 2

Not Voting

Delegates --

President, Clark J., James, Carson, Ritter, Rollins, Scanlan,
Schloeder, Sickles, White.

Total -- 10

The President announced that in light of the changes made in Resolution No. 18 and Rule 28 that Delegates James Clark would be a voting member of the Committee on the Legislative Branch and that Delegate William James would be a voting member of the Committee on the Executive Branch.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 421 -- By Delegates E. J. Clarke, Clagett,
Jett, and Hutchinson. (By Request)

A PROPOSAL that all persons shall have the right to form, join, or not to join labor organizations for their mutual aid and protection and to bargain collectively through representatives of their own choosing.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 422 - By Delegate Byrnes.

A PROPOSAL that Article VII, Local Government, include provisions that the General Assembly or the people of Maryland may alter the jurisdiction of either or both House of the Legislature to respond to the need for regional services and planning on a statewide level.

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

On motion of Delegate Storm, duly seconded, the Chair was authorized to read the number and sponsor along with reference of each proposal and omit the reading of the titles and that reading to be considered the entire reading of each proposal.

Delegate Proposal 423 -- By Delegate Bennett.

A PROPOSAL that no law shall be enacted respecting an establishment of religion, or prohibiting the free exercise thereof or in aid of any church, religious denomination or wholly sectarian institution.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 424 -- By Delegate Bennett.

A PROPOSAL that all persons shall have the right to form or join labor organizations for their mutual aid and protection; to bargain collectively in good faith and in conformity with the public interest.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 425 -- By Delegate L. Taylor.

A PROPOSAL that in order to promote the general welfare of the State, the General Assembly shall have the power to enact laws providing protection to all residents from loss of income or employment by the means of an annual minimum income based on standards of decency and health for residents in need, including the underemployed and unemployed, job training, creation of jobs, and other appropriate methods or systems.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 426 -- By Delegate Fornos.

A PROPOSAL that the Constitution provide that municipal and councilmanic election districts must be based on equal population as nearly as practicable.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENT.

Delegate Proposal No. 427 -- By Delegate Finch.

A PROPOSAL that no restrictions shall be placed on any citizen who desires to be admitted to, and practices a plurality of professions.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 428 -- By Delegate Finch.

A PROPOSAL that the Constitution include a provision incorporating all amendments of the United States Constitution concerned with personal rights.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 429 -- By Delegate Finch.

A PROPOSAL that striking by public educators and persons connected with public safety and law enforcement shall be prohibited.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 430 -- By Delegate Finch.

A PROPOSAL that no law enforcement officer shall be advanced to a command position until said officer acquires an associate of arts degree.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 431 -- By Delegate Finch.

A PROPOSAL that no person not legally designated as a professional person shall be deprived of any nonprofessional employment through compulsory association with, or membership in, any social, political, economical, fraternal, trade, or union organization.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 432 -- By Delegate Finch.

A PROPOSAL that the State shall exercise police power over corporations, associations, partnerships and individuals.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 433 -- By Delegate Finch.

A PROPOSAL that no public official shall receive anything of value of any nature to lobby or exercise any influence with reference to any action to be taken on any proposed legislation.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 434 -- By Delegate Finch.

A PROPOSAL that the police power of the State shall not be used to permit any corporation, association, or organization to infringe the equal rights of citizens of the State.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 435 -- By Delegates Mitchell and Eard.

A PROPOSAL that equality of educational opportunity shall be guaranteed to all the people of the State. The General Assembly shall provide necessary programs including the facilitation and encouragement of intrastate and intergovernmental agreements to assure this end.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON GENERAL PROVISIONS.

Delegate Proposal No. 436 -- By Delegate Finch, By Request.

A PROPOSAL that the Preamble shall read: We, the People of the State of Maryland, grateful to Almighty God, do hereby establish this new Constitution for the State of Maryland, and declare;

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 437 -- By Delegate Finch.

A PROPOSAL that the Legislature shall establish a system for punishing convicts whereby their labor shall be used for public benefit and/or reparation for injuries done to private citizens.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 438 -- By Delegate Grant.

A PROPOSAL that any statute, ordinance, regulation, or other action having the force of law must be made part of a uniform code and promulgated before becoming effective.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

Delegate Proposal No. 439 -- By Delegate L. Taylor.

A PROPOSAL that no public funds dispensed by the State shall be used to violate the right of equal protection by the State to all its citizens.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

Delegate Proposal No. 440 -- By Delegate L. Taylor.

A PROPOSAL creating a State Department of Human Resources and Environmental Planning in order to protect and conserve human resources in the State and achieve for the general public the most effective and beneficial utilization of all resources of the State toward the goals of satisfying both economic utility and the human needs of improved environmental quality.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE EXECUTIVE BRANCH.

Delegate Proposal No. 441 -- By Delegate Grant.

A PROPOSAL prohibiting the State from using certain information in the prosecution of an offense (except perjury), from taking certain action on the basis of information not a matter of public record, providing for administrative procedure, and matters generally related thereto.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE JUDICIAL BRANCH.

Delegate Proposal No. 442 -- By Delegates Wheatley and Hutchinson.

A PROPOSAL that a hearing be required by all administrative agencies before the denial or withdrawal of the benefits of that agency to a citizen of the State under the due process of the law.

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON PERSONAL RIGHTS AND THE PREAMBLE.

At 4:50 o'clock P. M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Tuesday, October 31, 1967, at 2:00 o'clock P. M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Tuesday, Oct. 31, 1967

The Convention met at 2:00 o'clock P. M.

Invocation was offered by Rev. Keith W. Custis of Riverdale Presbyterian Church, University Park, Maryland.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Eoyce, Boyer, Boyles, Bradshaw, Bryson, Burdette, Burgess, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Claggett, Clarke E. J., Cleveland, Dabrowski, Darby, Dorsey, Dukes, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E.C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Pullen, Raley, Ritter, Robey F. C., Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sollins, Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow.

Total -- 138

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported on the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Mr. Sherbow, Chairman of the Committee on State Finance and Taxation, offered Committee Report No. SF-1.

A REPORT on the proposed omission from the Constitution of Article III, Section 35A, of the present Constitution providing as follows:

"Section 35A. Nothing in this Constitution shall exempt the salary or compensation of any judge or other public officer from the imposition by the General Assembly of a nondiscriminatory tax upon income."

It is recommended that this provision be omitted from the Constitution but that an explanatory comment be included to the effect that the provision is deemed superfluous and that the rule should be the same in the absence of this provision.

WHICH WAS READ AND REFERRED TO THE COMMITTEE ON CALENDAR AND AGENDA.

INTRODUCTION AND FIRST READING AND REFERENCE OF PROPOSALS

Delegate Proposal No. 443 -- By Delegate Gallagher.

A PROPOSAL that Article III, Legislative Branch, provide for a permanent redistricting commission which shall progressively reapportion the State on an election to election basis.

* * *

WHICH WAS READ THE FIRST TIME AND REFERRED TO THE COMMITTEE ON THE LEGISLATIVE BRANCH.

At 2:18 o'clock P. M. Delegate Powers moved, duly seconded, that the Convention resolve itself into a Committee of the Whole for consideration of the General Orders of the Day -- Committee Recommendation No. GP-1.

SAID MOTION PREVAILED BY YEAS AND NAYS VOICE VOTE.

COMMITTEE OF THE WHOLE -- GENERAL ORDERS OF THE DAY

President Eney presided.

Mr. Boyer, Chairman of the Committee on General Provisions, reported on Committee Recommendation No. GP-1.

* * *

The General Assembly may provide by law for a Militia. The Governor shall be its Commander-in-Chief and shall appoint its officers. The Governor may order the Militia to active duty to repel invasions, suppress insurrections, enforce the execution of the laws and provide assistance at such times when great destruction of life or property may occur. The military authority of the State shall be and remain subject to civil control in the person of the Governor at all times. Only members of the Militia when in actual service may be subject to trial by a military court of this State.

Minority Report No. GP-1 -- By Delegates Pullen, Kirkland, Caldwell, Sosnowski, Blair, Vecera, Robie K., Wheatley, and Fey,
of the Committee on General Provisions was offered by Delegate Pullen.

Article 28 of the Declaration of Rights in the present Constitution of Maryland reads: "That a well regulated Militia is the proper and natural defense of a free government."

The Draft Constitution, without giving any reason whatsoever, simply eliminated this section of the Declaration of Rights. There was no discussion of this point in the General Provisions Committee. The minority of the General Provisions Committee considers it as important to include such a declaration in the new Constitution in order to preserve the elements of a free government, especially in these times of trouble and occasional uncontrolled disorder, as it was in the Constitution prepared one hundred years ago.

Section 8:05 of the Draft Constitution, with some minor changes, was approved by a majority of the General Provisions Committee, the actual vote being eight to seven.

Two drastic changes from the wording of the present Constitution were made in the Draft Constitution and in the recommendation of the General Provisions Committee: (1) the word "may" was substituted for the word "shall" in referring to the establishment and maintenance of a militia by the General Assembly, and (2) the position of adjutant general as a Constitutional officer was eliminated.

The vote in the General Provisions Committee to change "may" to "shall" was defeated eight to seven. The vote to restore the position of adjutant general was defeated by a tie vote of eight to eight.

* * *

The minority respectfully asks the Convention to restore the word "shall" and to include the naming of an adjutant general in the document.

Amendment No. 1 to Committee Recommendation No. GP -1 -- by Delegate Pullen from the floor. The amendment was duly seconded.

In line 8 on page 1 of the printed Committee Recommendation No. GP-1, strike out the word "may" and insert in lieu thereof the word "shall".

WHICH AMENDMENT WAS READ AND REJECTED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Delegates --

Tawes, James, Anderson, Armor, Beall, Blair, Burgess, Buzzell, Caldwell, Carson, Cleveland, Dabrowski, Darby, Dorsey, Eckenrode, Finch, Frederick, Gilchrist, Gleason, Grant, Groh, Harkness, Harris, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Linton, Mason, Mosner, Murphy, Murray D. S., Murray E. C., Neilson, Neumann, Pascal, Peters, Pullen, Robie K. L., Rosenstock, Rush, Rybczynski, Schneider, Sherbow, Smith A. W., Smith J. H., Smith M. H., Sosnowski, Sybert, Taylor H. E., Taylor L., Vecera, Webb, Weidemeyer, Wheatley, White.

Total -- 58

Negative

Delegates --

President, Clark J., Abramson, Adkins, Bamberger, Bard, Barrick, Baumann, Beachley, Bennett, Boileau, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Byrnes, Cardin, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Dulany, Fornos, Fox, Freedlander, Gallagher, Gill, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Henderson, Hickman, Hopkins, Hutchinson, Jett, Kosakowski, Koss, Leitzel, Lord, Macdonald, Marion, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mudd, Needle, Powers, Raley, Robey F. C., Rollins, Scanlan, Schloeder, Siewierski, Singer, Sollins, Soul, Stern, Storm, Ulrich, Wagandt, Willis, Willoner, Winslow.

Total -- 74

Not Voting

Delegates --

Boyles, Bushong, Della, Dukes, Hostetter, Malkus, Penniman, Price, Ritter, Sickles.

Total -- 10

Amendment No. 2 to Committee Recommendation No. GP-1 -- by
Delegate Pullen from the floor. The amendment was duly seconded.

In line 10 on page 1 of the printed Committee Recommendation No. GP-1, after the word "appoint" strike out the word "its" and insert the words "the Adjutant General and the".

WHICH AMENDMENT WAS READ AND REJECTED BY YEAS AND NAYS AS
FOLLOWS:

Affirmative

Delegates --

Tawes, Anderson, Armor, Blair, Boileau, Burgess, Caldwell, Dabrowski, Darby, Dorsey, Eckenrode, Finch, Grant, Groh, Harkness, Harris, Henderson, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Mason, Murphy, Murray D. S., Murray E. C., Neilson, Pascal, Peters, Pullen, Ritter,

Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Schneider, Siewierski, Smith A. W., Sosnowski, Soul, Sybert, Taylor H. E., Taylor L., Vecera, Webb, Weidemeyer, Wheatley.

Total -- 49

Negative

Delegates --

President, Clark J., James, Abramson, Adkins, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Buzzell, Byrnes, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland, Dulany, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Hickman, Hopkins, Hutchinson, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Marion, Maurer, Mentzer, Miller B., Miller E. T., Mitchell, Morgan, Moser, Mosner, Mudd, Needle, Neumann, Penniman, Powers, Raley, Robey F. C., Scanlan, Schloeder, Sherbow, Singer, Smith J. H., Smith M. H., Sollins, Stern, Storm, Ulrich, Wagandt, Willis, Willoner, Winslow.

Total -- 84

Not Voting

Delegates --

Boyles, Bushong, Della, Dukes, Hostetter, Malkus, Price, Sickles, White.

Total -- 9

Amendment No. 3 to Committee Recommendation No. GP-1 -- By Delegate Bamberger from the floor. The amendment was duly seconded.

In lines 17 and 18 on page 1 of Committee Recommendation No. GP-1, strike out the words "in the person of the Governor".

WHICH AMENDMENT WAS READ AND REJECTED BY VOICE VOTE.

Amendment No. 4 to Committee Recommendation No. GP-1 -- By Delegate Bamberger from the floor. The amendment was duly seconded.

In line 14 of page 1 of Committee Recommendation No. GP-1, strike out the words "at such times".

WHICH AMENDMENT WAS READ AND ADOPTED.

In line 15, strike out the words "may occur" and insert in lieu thereof the words "is imminent".

WHICH AMENDMENT WAS READ AND REJECTED BY YETAS AND NAYS AS FOLLOWS:

Affirmative

Delegates --

Bamberger, Beall, Bennett, Bothe, Bryson, Burdette, Chabot, Cleveland, Freedlander, Gallagher, Gilchrist, Gleason, Hardwicke, Hargrove, Harris, Marion, Mason, Mentzer, Miller B., Mitchell, Peters, Schloeder, Sollins, Taylor L., White.

Total -- 25

Negative

Delegates --

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bard, Barrick, Baumann, Beachley, Blair, Boileau, Borom, Boyce, Boyer, Bradshaw, Burgess, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Child, Cicone, Clagett, Clarke E. J., Dabrowski, Darby, Dorsey, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Gill, Grant, Groh, Grumbacher, Gullett, Hanson, Harkness, Henderson, Hickman, Hopkins, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Kosakowski, Koss, Leitzel, Linton, Lord, Macdonald, Malkus, Maurer, Miller E. T., Morgan, Moser, Mosner, Mudd, Murphy, Murray D. S., Murray E. C., Needle, Neilson, Neumann, Pascal, Penniman, Powers, Price, Pullen, Raley, Ritter, Robey F. C., Robie K. L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schneider, Sherbow, Siewierski, Singer, Smith A. W., Smith J. H., Smith M. H., Sosnowski, Soul, Stern, Storm, Sybert, Taylor H. E., Ulrich, Vecera, Webb, Weidemeyer, Wheatley, Willis, Willoner, Winslow.

Total -- 109

Not Voting

Delegates --

Boyles, Bushong, Della, Dukes, Hostetter, Koger, Sickles, Waganet.

Total -- 8

A division of the question was granted at the request of Mr. James.

Amendment No. 5 to Committee Recommendation No. GP-1 -- By Delegate Marion from the floor. The amendment was duly seconded.

In line 10 of page 1 of Committee Recommendation No. GP-1, strike out the words "its officers" and insert in lieu thereof the words "such officers as the General Assembly may by law provide".

WHICH AMENDMENT WAS READ AND REJECTED BY VOICE VOTE.

Amendment No. 6 to Committee Recommendation No. GP-1 -- by
Delegates Cardin, Case, Grumbacher, Fox, Carson, Gullett, Hanson,
and Hardwicke. The amendment was duly seconded.

In line 10 on page 1 of Committee Recommendation No. GP-1,
after the word "Chief", insert a period and strike out the
remainder of the section.

WHICH AMENDMENT WAS READ AND REJECTED BY YEAS AND NAYS AS
FOLLOWS:

Affirmative

Delegates --

Damberger, Borom, Bothe, Bryson, Burdette, Cardin, Carson, Case,
Dulany, Fox, Frederick, Freedlander, Gallagher, Gleason,
Grumbacher, Gullett, Hanson, Hardwicke, Harris, Koss, Marion,
Mason, Maurer, Miller B., Mitchell, Moser, Needle, Raley, Rollins,
Singer, Smith J. H., Sollins, Storm, Sybert, Wagandt, White, Willis,
Willoner, Winslow.

Total -- 39

Negative

Delegates --

President, Tawes, Clark J., James, Abramson, Adkins, Anderson,
Armor, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair,
Boileau, Boyce, Boyer, Bradshaw, Burgess, Buzzell, Byrnes, Caldwell,
Chabot, Child, Cicone, Clagett, Clarke E. J., Cleveland,
Dabrowski, Darby, Dorsey, Eckenrode, Finch, Fornos, Gilchrist,
Gill, Grant, Groh, Hargrove, Harkness, Henderson, Hickman, Hopkins,
Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland,
Kosakowski, Leitzel, Linton, Lord, Macdonald, Mentzer, Miller F. T.,
Morgan, Mosner, Mudd, Murray D. S., Murray E. C., Neilson, Neumann,
Pascal, Penniman, Peters, Powers, Price, Pullen, Ritter, Robey F. C.,
Robie K. L., Rosenstock, Rush, Rybczynski, Scanlan, Schloeder,
Schneider, Sherbow, Siewierski, Smith A. W., Smith M. H., Sosnowski,
Soul, Stern, Taylor H. E., Taylor L., Ulrich, Vecera, Webb,
Weidemeyer, Wheatley.

Total -- 94

Not Voting

Delegates --

Boyles, Bushong, Della, Dukes, Hostetter, Koger, Malkus, Murphy,
Sickles.

Total -- 0

Amendment No. 7 to Committee Recommendation No. GP-1 -- By Delegates Scanlan and Weidemeyer from the floor. The amendment was duly seconded.

In line 13 on page 1 of Committee Recommendation No. GP-1, after the word "laws ", insert a comma.

WHICH AMENDMENT WAS READ AND ADOPTED BY VOICE VOTE.

Amendment No. 8 to Committee Recommendation No. GP-1 -- By Delegate Marion from the floor. The amendment was duly seconded.

On page 1 of Committee Recommendation No. GP-1, strike out the last sentence and add "Only a member of the militia may be subject to trial by a military court of this State and then only for offenses committed while the member is in actual service."

WHICH AMENDMENT WAS READ AND ADOPTED BY YEAS AND NAYS AS FOLLOWS:

Affirmative

Delegates --

Armor, Bamberger, Bard, Boyer, Bradshaw, Bryson, Burgess, Buzzell, Byrnes, Cardin, Carson, Chabot, Child, Cicone, Cleveland, Dulany, Fox, Freedlander, Gallagher, Gilchrist, Gill, Gleason, Grant, Groh, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hutchinson, Jett, Koss, Lord, Macdonald, Marion, Mason, Maurer, Miller B., Mitchell, Morgan, Moser, Mosner, Mudd, Murray E. C., Needle, Neumann, Peters, Raley, Ritter, Robey F. C., Rollins, Rosenstock, Rybczynski, Schloeder, Sherbow, Siewierski, Smith A. W., Smith J. H., Sollins, Storm, Sybert, Taylor F. E., Taylor L., Wagandt, Weidemeyer, White.

Total -- 70

Negative

Delegates --

Tawes, Clark J., James, Adkins, Anderson, Barrick, Baumann, Beachley, Beall, Blair, Boileau, Borom, Boyce, Caldwell, Clagett, Clarke E. J., Dabrowski, Darby, Dorsey, Eckenrode, Finch, Johnson, Kahl, Key, Kirkland, Kosakowski, Leitzel, Linton, Mentzer, Miller E. T., Murphy, Murray D. S., Neilson, Pascal, Penniman, Powers, Price, Pullen, Robie K. L., Rush, Schneider, Singer, Smith M. H., Sosnowski, Soul, Stern, Ulrich, Vecera, Webb, Wheatley, Willis, Willoner.

Total -- 52

Not Voting

Delegates --

President, Abramson, Bennett, Bothe, Boyles, Burdette, Bushong, Case, Della, Dukes, Fornos, Frederick, Grumbacher, Hostetter, Kiefer, Koger, Malkus, Scanlan, Sickles, Winslow.

Total -- 20

Delegate Johnson moved, duly seconded, to reconsider the vote by which Amendment No. 8 was adopted.

SAID MOTION FAILED BY YEAS AND NAYS VOICE VOTE.

Amendment No. 9 to Committee Recommendation No. GP-1 -- By Delegate Storm from the floor. The amendment was duly seconded.

In line 10 on page 1 of Committee Recommendation No. GP-1, after the word "Chief ", insert a period and strike out the remainder of the sentence.

WHICH AMENDMENT WAS READ AND REJECTED BY VOICE VOTE.

Amendment No. 10 to Committee Recommendation No. GP-1 -- By Delegate Schneider from the floor. The amendment was duly seconded.

In line 3 of Amendment No. 8 to Committee Recommendation No. GP-1, after the word "militia ", add the words "and other members of the military of this State ".

WITH PERMISSION OF THE DELEGATES CONSIDERATION OF AMENDMENT NO. 10 WAS DELAYED.

Amendment No. 11 to Committee Recommendation No. GP-1 -- By Delegate Barrick from the floor. The amendment was duly seconded.

In line 15 on page 1 of Committee Recommendation No. GP-1, strike out the words "may occur", and insert in lieu thereof "is threatened or has occurred."

WHICH AMENDMENT WAS READ AND ADOPTED BY VOICE VOTE.

Amendment No. 12 to Committee Recommendation No. GP-1 -- By Delegate Singer from the floor. The amendment was duly seconded.

In line 12 on page 1 of Committee Recommendation No. GP-1, strike out "repel invasions,".

WHICH AMENDMENT WAS READ AND REJECTED BY VOICE VOTE.

Amendment No. 10 to Amendment No. 8 to Committee Recommendation No. GP-1 -- By Delegate Schneider from the floor. The amendment was duly seconded.

In line 3 of Amendment No. 8 to Committee Recommendation No. GP-1, after the word "militia," add the words "and other members of the military of this State ".

AMENDMENT NO. 10 WAS WITHDRAWN.

The President put the question on the approval of the Committee Recommendation No. GP-1 as amended.

COMMITTEE RECOMMENDATION NO. GP-1 AS AMENDED WAS APPROVED BY VOICE VOTE.

Delegate Powers moved, duly seconded, that the Committee of the Whole rise and report Committee Recommendation No. GP-1 together with amendments to the Convention.

SAID MOTION PREVAILED BY YEAS AND NAYS VOICE VOTE.

At 5:30 o'clock P. M. the Convention resumed its regular session.

Minority Report No. GP-1 -- By Delegates Pullen, Kirkland, Caldwell, Sosnowski, Blair, Vecera, Robie K., Wheatley, and Key.
of the Committee on General Provisions was presented and received by the Convention.

* * *

The President reported to the Convention from the Committee of the Whole that Committee Recommendation No. GP-1 as amended was approved and referred the report and the amendments to the Committee on Style, Drafting and Arrangement.

At 5:41 o'clock P. M. on motion of Mr. Powers, duly seconded, the Convention adjourned until Wednesday, November 1, 1967, at 2:00 o'clock P. M.

CONSTITUTIONAL CONVENTION OF MARYLAND
JOURNAL OF PROCEEDINGS

Annapolis, Md., Wed., Nov. 1, 1967

The Convention met at 2:00 o'clock P.M.

Invocation was offered by Rev. Paul Edwin Bohi, Magothy Methodist Church, Pasadena, Maryland.

Present at the roll call were the following delegates:

President, Tawes, Clark J., James, Abramson, Adkins, Anderson, Armor, Bamberger, Bard, Barrick, Baumann, Beachley, Beall, Bennett, Blair, Boileau, Borom, Bothe, Boyce, Boyer, Bradshaw, Bryson, Burdette, Burgess, Bushong, Buzzell, Byrnes, Caldwell, Cardin, Carson, Case, Chabot, Child, Cicone, Clagett, Clarke E.J., Cleveland, Dabrowski, Darby, Della, Dorsey, Dulany, Eckenrode, Finch, Fornos, Fox, Frederick, Freedlander, Gallagher, Gilchrist, Gill, Grant, Groh, Grumbacher, Gullett, Hanson, Hardwicke, Hargrove, Harkness, Harris, Henderson, Hickman, Hopkins, Hostetter, Hutchinson, Jett, Johnson, Kahl, Key, Kiefer, Kirkland, Koger, Kosakowski, Koss, Leitzel, Linton, MacDonald, Malkus, Marion, Mason, Maurer, Mentzer, Miller B, Mitchell, Morgan, Moser, Mosner, Mudd, Murphy, Murray D.S., Murray E.C., Needle, Neilson, Neumann, Pascal, Penniman, Peters, Powers, Price, Ritter, Robey F.C., Robie K.L., Rollins, Rosenstock, Rush, Rybczynski, Scanlan, Schloeder, Schneider, Sherbow, Sickles, Siewierski, Smith A.W., Smith J.H., Smith M.H., Sollins, Sosnowski, Soul, Stern, Sybert, Taylor H.E., Taylor L., Ulrich, Vecera, Wagandt, Webb, Weidemeyer, Wheatley, White, Willis, Willoner, Winslow. Total--133

REPORT OF COMMITTEE ON CALENDAR AND AGENDA

Mr. Powers, Chairman of the Committee on Calendar and Agenda, reported the daily calendar and agenda.

WHICH WAS READ AND ADOPTED BY VOICE VOTE.

REPORTS OF OTHER STANDING COMMITTEES

Francis X. Gallagher, Chairman of the Committee on The Legislative Branch offered Committee Recommendation LR-1.

A RECOMMENDATION that portions of Article III, Legislative Branch, provide for a bicameral legislature, single member districts in both the Senate and the House of Delegates, a limit on the Senate of 35 members and a limit on the House of 105 members, a legislative session lasting 90 days, a legislative term of four years, and other legislative matters.

* * *

WHICH WAS READ AND REFERRED TO THE COMMITTEE OF THE WHOLE.

Committee Memorandum No. LB-1 was offered in support of
Committee Recommendation No. LB-1.

* * *

At 2:25 o'clock P.M. on motion of Mr. Powers, duly seconded,
the Convention adjourned until Thursday, November 2, 1967, at
2:00 P.M.



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